BEFORE THE ILLINOIS POLLUTION CONTROL BOARD RECEIVED

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Independence Pork, LLC-Victor (Property Indentification Number 17-11-400-002) JUL 0 5 2007

CLERK'S OFFICE

STATE OF ILLINOIS Pollution Control Board

NOTICE

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

2435 Bethany Road Sycamore, Illinois 60178

) (Tax Certification)

Dr. Steve Feuerbach

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

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PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an <u>APPEARANCE AND THE RECOMMENDATION</u> of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

> ENVIRONMENTAL PROTECTION AGENCY OF THE STATE OF ILLINOIS

Vera Herst

Vera Herst Assistant Counsel Division of Legal Counsel

DATED: July 2, 2008

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

Independence Pork, LLC-Victor (Property Indentification Number 17-11-400-002) STATE OF ILLINOIS Pollution Control Board

JUL 0 5 2007

)) PCB 08- D) (Tax Certification)

APPEARANCE

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By:

Vera Herst Assistant Counsel Division of Legal Counsel

DATED: July 2, 2007

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 CLERK'S OFFICE

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Independence Pork, LLC-Victor (Property Identification Number) 17-11-400-002)) PCB-08-0 () (Tax Certification) JUL 0 5 2007

STATE OF ILLINOIS Pollution Control Board

RECOMMENDATION

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, 35 Ill. Adm. Code 125.204.

 On December 28, 2006, the Illinois EPA received a request from Independence Pork LLC (log number TC-30-06, 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 applicant's address is:

Independence Pork, LLC 2435 Bethany Road Sycamore, Illinois 60178

3. The proposed water pollution control facilities in this request are located at SE¼ of Section 11, T37N, R4E of the 3rd P.M. in DeKalb County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (165 ft. x 71 ft. x 2 ft. deep) with the slotted wire portion of the floor over the manure pit, and approximately 50 ft. of 8-inch diameter PVC manure transfer pipe.

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 (2004), defines

"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."

- Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5.
- 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

Vere Nerot By:

Assistant Counsel Division of Legal Counsel

Dated: July 2, 2007

Illinois Environmental Protection Agency 1021 North Grand Ave. E. P.O. Box 19276 Springfield, Illinois 62794-9276 217/782-5544

STATE OF ILLINOIS)
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached APPEARANCE AND THE

RECOMMENDATION, upon the person to whom it is directed, by placing a copy in an envelope

addressed to:

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

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794 Dr. Steve Feuerbach 2435 Bethany Road Sycamore, Illinois 60178

and mailing it from Springfield, Illinois, on July 2, 2007, with sufficient postage

affixed for first class mail.

she U. Stritzel

SUBSCRIBED AND SWORN TO BEFORE ME

This 2nd day of July, 2007

Brehng

Notary Publi

OFFICIAL SEAL BRENDA BOEHNER NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 11.3-2009

THIS FILING IS SUBMITTED ON RECYCLED PAPER



The Bureau of Water received a request on December 28, 2006 from Independence Pork, LLC for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Il. Adm. Code 125.204. We offer the following recommendation.

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

Steve Feuerbach (Independence Pork, LLC) 2435 Bethany Road Sycamore, IL 60178

Property Identification # 17-11-400-002

SE ¼ of Section 11, T37N, R4E of the 3rd P.M. in DeKalb County

Livestock waste management facilities consisting of one concrete manure pit (165 ft. x 71 ft. x 2 ft. deep) with the slotted wire portion of the floor over the manure pit and approximately 50 ft. of 8-inch diameter PVC manure transfer pipe.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application.

These facilities are further described in the enclosed applications and supporting documents.

Based on the information included in this submittal, it is our engineering judgment that the above proposed facilities may be considered "Pollution Control Facilities" under 35 IAC 125.200(a), with the primary purpose of eliminating, preventing, or reducing water pollution, or as otherwise provided in this section, and therefore eligible for tax certification from the Illinois Pollution Control Board. The Bureau of Water therefore recommends that the Board issue the requested tax certification for these facilities.

If you have any questions regarding the above, please contact Thaddeus Faught at 217/782-3362.

BJY:TJF:TC-30-06.doc

Log # TC-30-06

cc: Tax Cert File

Watershed Unit Tax Certification Review Sheet

Project Name: Reviewer: Log No.:	Fillipperson Park Theodor: Faught	Location: Date:	Maisrie
-			□ Agchem □ Livestock
Applicant:	Pr. Stere Fourieries 2475 Belliery Bost Sycamore Fill 60178	Contact: Phone:	Ch. Stun Feuriparing
Facility:	Independence Pork LLC 4091 Magie wood feit. Victor, 22	Property ID:	17-11-400-022
Legal Description:	Section 11, T37N, RHE of A. 3" PM	County:	Details
Date Control Devices Installed:	11/1/200%	Provided Fair Cash Value:	<u> 120,000</u>
Signature:	Stand by Stone Frendrich	Title:	EFO/ SPONSALL
Physical Description	Agrichemical rinsate and spillage is recycled through the Other: on of Pollution Control Devices:	facility and/or la	and applied.
DR CONTRA	E MADURE POR (145 PAR 7 PAR 2 ER a	lin i silen	where Playes
Menter Mercher	50 Least of O' alterated fil manue	Stapp Gr	
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Other:			
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TC-30-04002

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

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

FOR AGENCY USE

This Agency is authorized to request this information under Illinois Revised Statues, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

File No.	Date Received	Certification No.	, ,	Date	
Sec. A	Company Name				
	Person Authorized to Receive Certification Dr. Stere Reverbach Street Address	D Stree	on to Contact for Add C. Steve Fe at Address		
APPLICANT	Municipality, State & Zip Code <u>Sycamore</u> <u>II</u> , <u>601</u> Telephone Number <u>815-756-3279</u> Location of Facility	78	cipality, State & Zip C phone Number		
	Quarter Section Township	Range 4- <u>East</u> Cou Do	Kelb	Township Victor Book Number	
		Parc	el Number		
Sec. B	17-11-400-002 Nature of Operations Conducted at the Abov	e Location			
RNG RNG	Swine Production: P Bread - Unter Siste @	~ 21 days	of age.	is sow whit	
	Water Pollution Control Construction Permit	No. Date	Issued		
MANUFACTURING	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	Describe Unit Process				
URING					
MANUFACTURING	Materials Used in Process		FROT	CENSIONMENTAL EDITIC LAGENOY POPERMIT SECTION	
Sec. D	Describe Pollution Abatement Control Facilit > Placise Submit this a (pit, connecting DVC pipe	polication to) X Son a	Harbed Shoar on	
POLIUTION CONTROL	> The manure handlong 5 potential waste pullitor				
1	* place note that they	the and the	1) partes	hing 10 an the	10200
	22 ONTO an existing facility (Rev. 8/00)	ation for Pollution Control F Page 1 of 2 8/00	acilities	this expansion	ть ~ X ~

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		ure of Contaminants or Pollutants				
! i	Costar	inant or Pollutant		ined, Captured or Rei		
	Contan		DESCRIPTION	DISPOSAL	OR USE	
	Sw	in Manure	from sous and	Waste Appis	cotion to	
			Baby Pagi		e125	
			N U	· · · ·		
	(2) Poir	t(s) of Waste Water Discharge				
	<u> </u>	- removel will occur	thru the pumpoints or	n Building (B	Tonly	
	Plans and Specifications Attached Yes 2 No					
	(3) A	re contaminants (or residues) co	llected by the control facility?	Yes.	No 🗆	
	(4) 🛛	bate installation completed	1 06 status of installation or	n date of application	In use	
	(5) a	FAIR CASH VALUE IF CONSIDE	ERED REAL PROPERTY:	purson \$ 120,0	00 (waste hand	
•	b	. NET SALVAGE VALUE IF CONS	DERED REAL PROPERTY:	2(+10)\$0	harontrag	
	C	PRODUCTIVE GROSS ANNUAL	INCOME OF CONTROL FACILITY:	2067. 250	·	
	d	PRODUCTIVE NET ANNUAL IN	COME OF CONTROL FACILITY:	150		
	e e	PERCENTAGE CONTROL FAC	LITY BEARS TO WHOLE FACILITY		······································	
	Signatu	roperty Tax Code. <u> <u> </u> </u>	CEO Secretary of	f Indepen	Asna Portulu	
G	Signat		TONS FOR COMPILING AND FILING APP			
	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					
	Sec. B	outside of municipal boundaries. The property identification number is required.				
	Sec. C	Refers to manufacturing processes or	materials on which pollution control facility	/ is used.		
INSTRUCTIONS	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 <u>pollution control facility</u> . 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.				
	Sec. F	Self-explanatory. Signature must be	a corporate authorized signature.			
	Sec. F	Self-explanatory. Signature must be Submit to:	a corporate authorized signature.	Attention:		

Tax Certification for Pollution Control Facilities Page 2 of 2 8/00





BETHANY ANIMAL HOSPITAL

Independence Park, which :

Forceway House: The Forceway house wester fulls through a large gauge assore ("00") flooring rate a 2" deep convert pot below. When these pets full, a "pull-plug" system is whethere to then sher the weaster to the Gestedion building pit (B) through an 8" connecting PVC pipe.

Gestation Building:

The Gesterroom building has an 8' deep comant storage part worth totally slatted concrete flowers cioare it. Manure from the Gestufron building anorrals fulls through the slats and is contained in these pats. Also, worke from the formaring in these pats. Also, worke from the formaring buildings to the Worth flows to these building for storage through an 8" connecting DVC pipe.

Please note that all pit walls and floors in the buildings @ @ + @ are S" threak with 4000 p.s.i. Concrete. The walls | floors are heavily rembored with rebor. The Construction of the pit floors is usalls were over soon by a represention from the II. dept. of Agriculture and meets all focets of the Departments "new" (2001) requestioned for all wester Storage Structures. C The new " expansion farrowing house addition has Its waste fall through a large gauge wire ("00") fleoring into a **map** 2⁻ deep cement pat below When this pit fails, a "pull-plug" system is utilized to transfer the waste to the Gestation building pit (B) through an B" connectors for pipe

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