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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD OCT 01 2003

Schabacker Bros. Farms.
(Property Identification Number
17-11-400-001)

)
) PCB 04-44
) (Tax Certification)
)
STATE OF ILLINOIS
Pollution Control Board

NOTICE

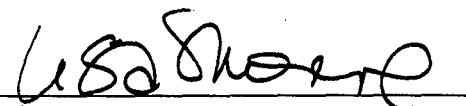
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite. 11-500
Chicago, Illinois 60601

Jerry Schabacker
4426 South Chana Road
Chana Illinois 61015

Steve Santarelli
Illinois Department of Revenue
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 **APPEARANCE AND THE RECOMMENDATION** of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Lisa Moreno
Assistant Counsel
Division of Legal Counsel

DATED: September 29, 2003

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

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PCB 02-0444 STATE OF ILLINOIS
(Tax Certification) 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: Lisa Moreno

Lisa Moreno
Assistant Counsel
Division of Legal Counsel

DATED: September 29, 2003

Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
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STATE OF ILLINOIS
PCB ~~2~~ 24-44 Pollution Control Board

RECOMMENDATION

The Illinois Environmental Protection Agency ("Illinois EPA") hereby files its Recommendation regarding the tax certification of water pollution control facilities pursuant to pursuant to Section 125.204 of the regulations of the Illinois Pollution Control Board, 35 Ill. Adm. Code 125.204.

1. On December 20, 2002, the Illinois EPA received a request from Schabacker Bros. Farms (Ogle County) (log number TC 21-02, 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: Jerry Schabacker
4426 South Chana Road
Chana Illinois 61015
3. The proposed water pollution control facilities in this request are located at Section 11, T23N, Range 11E of the 4th Principal Meridian, Ogle County at the above address and consist of the following:

Livestock waste management facilities consisting of two concrete manure pits (each 51 ft. x 325 ft. x 8 ft.), each pit having eight concrete pump-out boxes (each 6 ft. x 6 ft. x 8 ft.) and the slotted portion of the floor over the manure pit in two swine production building;

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

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4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2000), 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."

5. Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5.
6. 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: 

Lisa Moreno
Assistant Counsel
Division of Legal Counsel

DATED: September 29, 2003

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

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TC-21-02 DLH

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
APPLICANT	Sec. A			
	Company Name <i>Schabacker Bros Farms</i>		Person to Contact <i>Jerry Schabacker</i>	
	Person Authorized to Receive Certification <i>4426 S. Chana Rd.</i>		Person to Contact for Additional Details <i>6959 Sudbury Rd.</i>	
	Street Address <i>Chana, IL 61015</i>		Street Address <i>Ashton, IL 61006</i>	
	Municipality, State & Zip Code		Municipality, State & Zip Code <i>815-453-2153</i>	
	Telephone Number		Telephone Number	
	Location of Facility		Municipality	
	Quarter Section <i>SE 4 11</i>	Township <i>23-N</i>	Range <i>11-E</i>	Township <i>Pine Rock</i>
	Street Address		County <i>Ogle</i>	Book Number <i>00-7743</i>
	Property Identification Number		Parcel Number <i>17-11-400-001</i>	
MANUFACTURING OPERATIONS	Sec. B			
	Nature of Operations Conducted at the Above Location <i>Pollution Control facility holds swine manure</i>			
	Water Pollution Control Construction Permit No.		Date Issued	
	NPDES PERMIT No.		Date Issued	Expiration Date
	Air Pollution Control Construction Permit No.		Date Issued	
MANUFACTURING PROCESS	Sec. C			
	Describe Unit Process Materials Used in Process			
POLLUTION CONTROL FACILITY DESCRIPTION	Sec. D			
Describe Pollution Abatement Control Facility				

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Watershed Management Section
BUREAU OF WATER

ILLINOIS ENVIRONMENTAL
 PROTECTION AGENCY
 BOW/WPC/PERMIT SECTION

Sec. E

(1) Nature of Contaminants or Pollutants

POLLUTION CONTROL FACILITY -
CONTAMINANTS
ACCOUNTING DATA

Contaminant or Pollutant	Material Retained, Captured or Recovered	
	DESCRIPTION	DISPOSAL OR USE
Swine manure	manure pit	used on cropland
(2) Point(s) of Waste Water Discharge		
Plans and Specifications Attached		
(3)	Are contaminants (or residues) collected by the control facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
(4)	Date installation completed <u>Feb. 2002</u> status of installation on date of application <u>in use</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 275000.
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ 0
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ 5600
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ 980
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% 39

Sec. F

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. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.

Jerry Schelachur
Signature

pastor
Title

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 average 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.

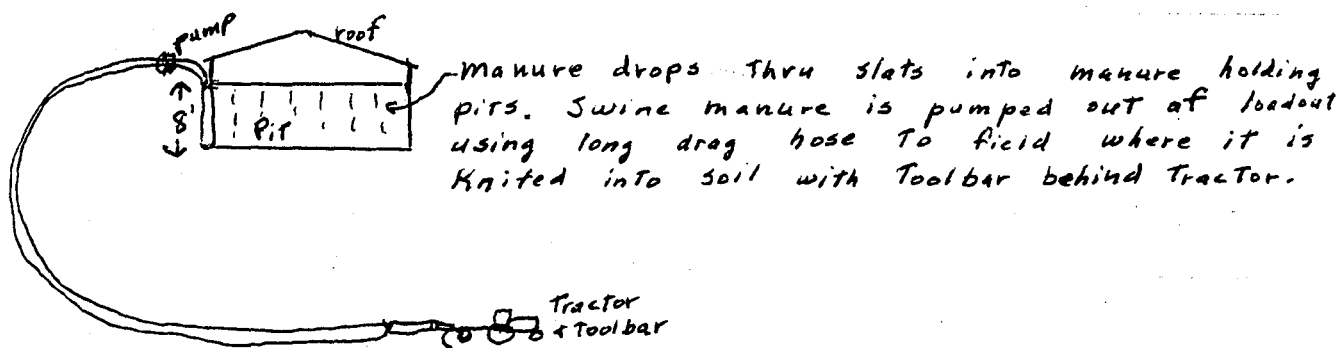
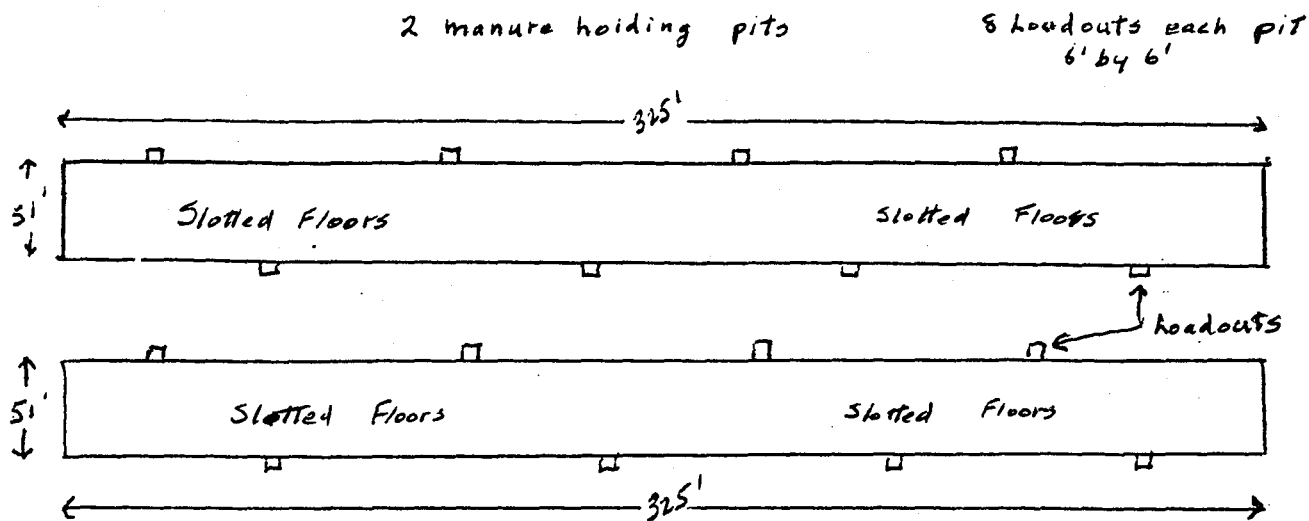
INSTRUCTIONS

Submit to:
Illinois EPA
P.O. Box 19276
Springfield, IL 62794-9276

Attention:
Thomas McSwiggin
Permit Section
Division of Water Pollution Control

Attention:
Donald E. Sutton
Permit Section
Division of Air Pollution Control

David Binder - 15



There is a stream $\frac{1}{3}$ mile Southeast of the facility.
This is an enclosed swine manure handling facility
under confined swine feeding structures
with over 1 years holding capacity.

51' width 325' length 8' deep X 2 Bldg. manure pits.

Due to soil conditions the footings on the two pits
have an extra \$35000.00 worth of concrete. There is
wire mats in the floor plus rebar in the footings and
rebar in the walls and loadouts. All was done according
to IL Dept. of Agriculture specifications under
livestock management Act. Concrete used met spec of
IL Dept of Agriculture. They did inspections
before construction during construction and after
construction.

STATE OF ILLINOIS

COUNTY OF SANGAMON

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PROOF OF SERVICE

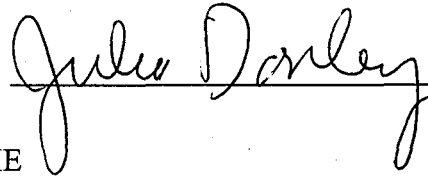
I, the undersigned, on oath state that I have served the attached **APPEARANCE AND THE RECOMMENDATION**, upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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


Jerry Schabacker
4426 South Chana Road
Chana Illinois 61015

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

and mailing it from Springfield, Illinois on September 29, 2003 with sufficient postage affixed for first class mail.



SUBSCRIBED AND SWORN TO BEFORE ME
this 29th day of September, 2003.


Notary Public



THIS FILING IS SUBMITTED ON RECYCLED PAPER