

RECEIVED
CLERK'S OFFICE

OCT 01 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

Glen Schmidgall
(Property Identification Number
19-19-16-200-01)

)
)
)
)
)

PCB ~~02~~ 04-45
(Tax Certification)

NOTICE

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

Glen Schmidgall
8308 Lauster Road
Miner Illinois 61759

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
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

THIS FILING IS SUBMITTED ON RECYCLED PAPER

RECEIVED
CLERK'S OFFICE

OCT 01 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Glen Schmidgall
(Property Identification Number
19-19-16-200-01)

)
)
)
)

PCB 04-45
(Tax Certification)

STATE OF ILLINOIS
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
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

THIS FILING IS SUBMITTED ON RECYCLED PAPER

RECEIVED

CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

OCT 01 2003

Glen Schmidgall
(Property Identification Number
19-19-16-200-01)

)
)
)
)

PCB ~~04-45~~ STATE OF ILLINOIS
(Tax Certification) 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 July 10, 2002, the Illinois EPA received a request from Glen Schmidgall (Tazewell County) (log number TC 03-02, 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: Glen Schmidgall
8308 Lauster Road
Miner Illinois 61759
3. The proposed water pollution control facilities in this request are located at Section 16, T23N, Range 2W of the 3rd Principal Meridian, Tazewell County at the above address, and consist of the following:

Livestock waste management facilities consisting of two concrete manure pits (each 52 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 buildings

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.

THIS FILING IS SUBMITTED ON RECYCLED PAPER

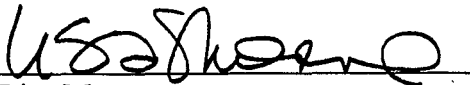
4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2000), defines "pollution control facilities" as:

"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

THIS FILING IS SUBMITTED ON RECYCLED PAPER

RECEIVED

JUL 10 2002

AIR ☐WATER ☒

TC-03-02

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)
POLLUTION CONTROL FACILITYILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P.O. Box 19276, Springfield, IL 62794-9276

BOWWFO/PERMIT SECTION

FOR AGENCY USE

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.

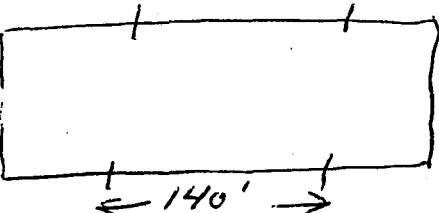
File No.	Date Received	Certification No.	Date
Sec. A	Company Name		
APPLICANT	Person Authorized to Receive Certification <u>GLENN SCHMIDGALL</u>	Person to Contact for Additional Details <u>GLENN SCHMIDGALL</u>	
	Street Address <u>8308 LAUSTER RD</u>	Street Address	
	Municipality, State & Zip Code <u>MINOR, IL 61259</u>	Municipality, State & Zip Code	
	Telephone Number <u>309 392-2056</u>	Telephone Number	
	Location of Facility Quarter Section <u>NE 1/4 - 16</u>	Township <u>LITTLE HAWKIN</u>	Range <u>R2N</u>
	Street Address <u>8308 LAUSTER RD.</u>	County <u>TRASSWELL</u>	Book Number
	Property Identification Number <u>19-19-16-200-001</u>	Parcel Number	
	Sec. B	Nature of Operations Conducted at the Above Location	
MANUFACTURING OPERATIONS	<u>SWINE PRODUCTION</u>		
	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	Describe Unit Process		
MANUFACTURING PROCESS	Materials Used in Process		
	<u>THIS FACILITY HOLDS MANURE UNTIL PUMPED INTO APPLICATION TANK WITH INJECTION KNIVES TO INSERT INTO SOIL AT 6" DEPT.</u>		
Sec. D	Describe Pollution Abatement Control Facility		
POLLUTION CONTROL FACILITY DESCRIPTION	<u>1- 4 PUMP-OUTS</u>		
	<u>REINFORCED CONCRETE FLOORS + WALLS</u> <u>SLOTTED CONCRETE ON TOP - FOR MANURE TO GO IN PIT.</u>		
			
		<u>- PIT DEPTH 8'</u> <u>PIT WALLS - 8" THICK</u>	

Exhibit A



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENEE CIPRIANO, DIRECTOR

217/782-3362

NOV 25 2002

Glenn Schmidgall
8308 Lauster Rd.
Miner, IL 61759

Re: Illinois Property Tax: Glenn Shimdgal -- Miner
Livestock Waste Containment Facilities
Log No. TC-03-02

Dear Mr. Shimdgal:

The application for Illinois Property Tax Certification received July 10, 2002 for the above listed facilities has been reviewed and the following is offered for your consideration and appropriate action.

1. Please provide a fair cash value if the property is considered a real property.
2. Please provide dimensions and material of construction of the four pump out ports.
3. Please provided the Township number for the facility location (i.e. Township 27 North)

Please review the subject applications accordingly for the items specified above and submit to the Illinois Environmental Protection Agency so that we may complete the review of the subject application. Please include the above log number on all correspondence.

If you have any questions or comments concerning the above items, please contact me at the above address and telephone number.

Very truly yours,

Matthew Talbert
Facility Evaluation Unit
Watershed Management Section
Bureau of Water

MAT:TC0302H

RECEIVED

JUN 02 2003

Watershed Management Section
BUREAU OF WATER

GEORGE H. RYAN, GOVERNOR

LOG # TC-03-02

5-29-03

1. - ⁸ 28,850.00

2. 5' x 6' x 8' - REINFORCED CONCRETE

3. T. 23N - R. 2W

STATE OF ILLINOIS

COUNTY OF SANGAMON

)
)
)
)
)

PROOF OF SERVICE

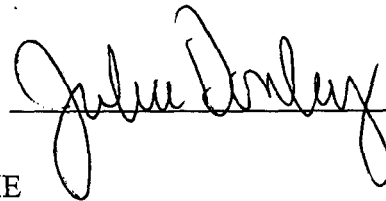
I, the undersigned, on oath state that I have served the attached **APPEARANCE AND THE RECOMMENDATION**, upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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


Glen Schmidgall
8308 Lauster Road
Miner Illinois 61759

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