

MAY 1 - 2002

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

PROBST PORK, INC.)
(Property Identification Number) PCB 02- 152
58-06-22-100-010) (Tax Certification)

RECOMMENDATION

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

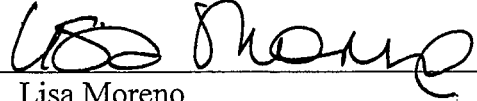
1. On December 27, 2001, the Illinois EPA received a request from Probst Pork, Inc. (log number TC-37-01, Exhibit A) for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204.
2. The applicant's address is: Mr. Kent Probst
Probst Pork, Inc.
12524 N. 300th Street
Wheeler Illinois 62479
3. The water pollution control facilities in this request are located at Section 22, Township 7N, Range 8E of the 3rd Prime Meridian, in Jasper County at the above address, and consist of the following livestock waste management facilities:
 - two concrete manure pits (each 10 ft. x 35 ft. x 1.5 ft. deep) with 2 manure pull plugs per pit and the slotted concrete portion of the flooring over the manure pits located in swine building A;
 - four concrete manure pits (each 7 ft. x 30 ft. x 2 ft. deep) with 1 manure pull plug per pit and the slotted wire portion of the flooring over the manure pits located in swine building A;

- one concrete manure pit (10 ft. x 98 ft. x 8 ft. deep) with one concrete manure pump-out box (4 ft. x 4 ft. x 8 ft. deep) and the slotted concrete flooring over the manure pit located in swine building A;
 - one concrete manure pit (10 ft. wide x 159 ft. in length x 8 ft. deep) with 1 concrete manure pump-out box (3 ft. x 3 ft. x 8 ft. deep) and the slotted concrete portion of the flooring over the manure pit located in swine building B;
 - one concrete manure pit (40 ft. x 120 ft. x 8 ft. deep) with 3 concrete manure pump-out boxes (each 4 ft. x 4 ft. x 8 ft. deep) and the slotted concrete portion of the flooring over the manure pit located in swine building C;
 - one concrete manure pit (40 ft. x 240 ft. x 8 ft. deep) with 3 concrete manure pump-out boxes (each 4 ft. x 4 ft. x 8 ft. deep) and the slotted concrete portion of the flooring over the manure pit located in swine building D; and
 - approximately 148 feet of 10-inch diameter PVC manure transfer pipe.
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.”
4. Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5 (2000).
5. Based on the information in the application and the purpose of the facilities, to collect, transport and/or store livestock wastes prior to cropland application, 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 therefore 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

Dated: April 29, 2002

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



STATE OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY 2200 CLINGHILL ROAD, SPRINGFIELD, ILLINOIS 62706

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)

POLLUTION CONTROL FACILITY

AIR WATER

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. This form has been approved by the Form Management Center.

FOR AGENCY USE

File No. Date Received Certification No. Date

Sec. A APPLICANT	Company Name	Probst Pork Inc		Kent Probst
	Person Authorized to Receive Certification			Person to Contact for Additional Details:
	Street Address:	12524 N 300th st		same
	Street Address:	wheeler IL 62479		same
	Municipality, State & Zip Code:	217-925-5619		same
	Telephone Number:	wheeler IL		North Muddy
	Location of Facility:	12524 N 300th st		Jasper
Street Address:			County: Book Number:	
Property Identification Number:	158-06-22-100-010		Township 7 N. - R. 8 E. section 22	
Parcel Number:				

Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the above location:	Confined Pork Production		
	(1) Water Pollution Control Construction Permit No.	Date Issued	RECEIVED	
	(2) NPDES Permit No.	Date Issued	DEC 27 2001	Expiration Date
	(3) Air Pollution Control Construction Permit No.	Date Issued	Watershed Management Section	
	(4) Air Pollution Control Operating Permit No.	Date Issued	BUREAU OF WATER	

Sec. C MANUFACTURING PROCESS	(1) Describe Unit Process:			
	(2) Materials Used in Process:	_____		

Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	(1) Describe pollution abatement control facility:	slated Floor's over Deep Pit's (see _____ Drawings) Buildings A, B, C, D.		
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Sec. E POLLUTION CONTROL FACILITY - CONTAMINANTS	(1) Nature of Contaminants or Pollutants:		
	Contaminant or Pollutant	Material Retained, Captured or Recovered DESCRIPTION	DISPOSAL OR USE
	Swine Manure	swine Manure	

(2) Point(s) of Waste Water Discharge:

(3) Are contaminants (or residues) collected by the control facility?-----Yes No

(4) Date installation completed 1999 status of installation on date of application-----Yes No

(5) a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY: \$ 198,980

b. FAIR CASH VALUE IF CONSIDERED PERSONAL PROPERTY: \$ 0

c. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY: \$ 0

d. NET SALVAGE VALUE IF CONSIDERED PERSONAL PROPERTY: \$ 0

e. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY: \$ 0

f. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY: \$ 0

g. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE: 46%

Sec. F
SIGNATURE

The following information is submitted in accordance with the "Revenue Act of 1939", as amended, and to the best of my knowledge, is true and correct. The facilities claimed herein, are "pollution control facilities" as defined in the Revenue Act of 1939, 120 Par. 502a.

SIGNATURE Robert P. Probst TITLE Pres.

Sec. G
INSTRUCTIONS

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. Location of facilities by street and local tax identification system, property identification no., book no., or legal description.

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 or personal 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.

NOTE: Submit to: Environmental Protection Agency
2200 ~~Churchill Road~~
Springfield, Illinois 62706

Attention: Thomas McSwiggin
Industrial Tax Certification Unit
Division of Water Pollution Control

Attention: Otto J. Klein, Jr., Manager
Tax Certification Section
Division of Air Pollution Control

1021 N. Grand Ave East.
P.O. Box 19276
WPC. - 15

Livestock facilities

Watershed Unit Tax Certification Review Sheet

Project Name: Probst Park Inc.
Reviewer: David Ginder
Log No.: TC-37-01

Location: Wheeler
Date: 3-21-02
Type: Agchem
 Livestock

Applicant: Probst Park Inc. / Kent Probst
12,524 N. 300th St.
Wheeler, IL 62479

Contact: Kent Probst
Phone: (217) 925-5619

Facility: @ applicant address

Property ID: 58-06-22-100-010

Legal Description: Section 22, T7N, R8E of the
3rd P.M.

County: Tasler

Date Control Devices Installed: 1999

Provided Fair Cash Value: \$ 198,480.00

Signature: Kent Probst

Title: President

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:
- two concrete manure pits (each 10' x 35' x 11.5' deep) with two manure pull plugs per pit & the slotted concrete portion of the floor over the manure pits located in swine building A
 - four concrete manure pits (each 7' x 30' x 2' deep) with one manure pull plug per pit & the slotted wire portion of the flooring over the manure pits located in swine building A
 - one concrete manure pit (10' x 98' x 8' deep) with one concrete manure pump-out box (4' x 4' x 8' deep) & the slotted concrete flooring over the manure pit in swine building A
 - one concrete manure pit (10' wide with a total length of 159' x 8' deep) with one concrete manure pump-out box (3' x 3' x 8' deep) & the slotted concrete portion of the floor over the manure pit in swine building B
 - one concrete manure pit (40' x 120' x 8' deep) with three concrete manure pump-out boxes (each 4' x 4' x 8' deep) & the slotted concrete portion of the floor over the manure pit in swine building C
 - one concrete manure pit (40' x 240' x 8' deep) with three concrete manure pump-out boxes (each 4' x 4' x 8' deep) & the slotted concrete portion of the floor over the manure pit in swine building B
 - approximately 148' of 10" & PVC manure transfer pipe

See 4-9-02 phone conversation notes & fax

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

Kent Probst
Probst Pork, Inc.
12524 North 300th Street
Wheeler, Illinois 62479

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

and mailing it from Springfield, Illinois on April 29, 2002 with sufficient postage affixed for first class mail.

Nancy J. D. Lampert

SUBSCRIBED AND SWORN TO BEFORE ME
this 29th Day of April, 2002.

Brenda Boehner
Notary Public



THIS FILING IS SUBMITTED ON RECYCLED PAPER

RECEIVED
CLERK'S OFFICE

MAY 1 - 2002

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PROBST PORK, INC.
(Property Identification Number
58-06-22-100-010)

)
)PCB 02- 195
) (Tax Certification

NOTICE

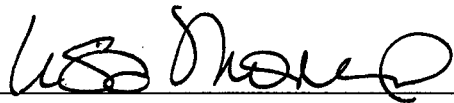
Dorothy M. Gunn, Clerk
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James R. Thompson Center
100 West Randolph Street, Suite. 11-500
Chicago, Illinois 60601

Kent Probst
Probst Pork, Inc.
12524 N. North 300th Street
Wheeler Illinois 62479

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: April 29, 2002

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 ~~MAY~~ 1 - 2002

PROBST PORK, INC.
(Property Identification Number
58-06-22-100-010)

)
) PCB 02-192
) (Tax Certification

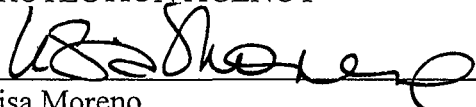
STATE OF ILLINOIS
Pollution Control Board

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: April 29, 2002

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1021 North Grand Avenue East
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Springfield, Illinois 62794-9276
(217)782-5544

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