

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Sangamon Prairie Pork Farm – Williamsville)
(Property Identification Number) PCB 09-
08-20.0-100-003)) (Tax Certification)
)
)

NOTICE


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

Charles Burrus
 9951 McLaughlin Road
 Williamsville IL 62693

Steve Santarelli
 Illinois Department of Revenue
 101 West Jefferson
 Post Office Box 19033
 Springfield IL 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.

ENVIRONMENTAL PROTECTION AGENCY
 OF THE STATE OF ILLINOIS

By: 
 Chad M. Kruse
 Assistant Counsel
 Division of Legal Counsel

DATED: April 14, 2009

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

THIS FILING IS SUBMITTED ON RECYCLED PAPER

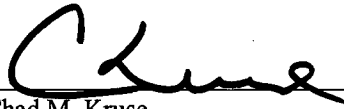
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Sangamon Prairie Pork Farm – Williamsville)
(Property Identification Number) PCB 09-
08-20.0-100-003) (Tax Certification)
)

A P P E A R A N C E

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Chad M. Kruse
Assistant Counsel
Division of Legal Counsel

DATED: April 14, 2009
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield IL 62794-9276
(217)782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

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:

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

Charles Burrus
9951 McLaughlin Road
Williamsville IL 62693

and mailing it from Springfield, Illinois, on April 15, 2009, with sufficient postage affixed for first class mail.

And electronically, on April 14, 2009 to:

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

Howain Roberson

SUBSCRIBED AND SWORN TO BEFORE ME

This 14th day of April, 2009

Dawn A. Hollis

Notary Public



THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Sangamon Prairie Pork Farm – Williamsville)
(Property Identification Number) PCB 09-
08-20.0-100-003) (Tax Certification)
)
)

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.

1. On May 5, 2008, the Illinois EPA received a request from Charles Burrus, Sangamon Prairie Pork Farm (log number TC-16-08, 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: Sangamon Prairie Pork Farm
 10220 McLaughlin Road
 Williamsville, IL 62693

The proposed water pollution control facilities in this request are located at Section 20, T17N, R3W of the 3rd P.M. in Sangamon County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (181.2 ft. x 51.2 ft. x 9 ft. deep) with eight concrete pump outs (each 6 ft. x 5 ft. x 9 ft. deep) with treated wood covers, and the slotted concrete portion of the floor over the manure pits.

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 (2006), 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: 
Chad M. Kruse
Assistant Counsel
Division of Legal Counsel

Dated: April 14, 2009
Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Al Keller, Manager, Permit Section *AK*

Date: March 16, 2009

Re: Sangamon Prairie Pork Farm - Williamsville
Recommendation of Tax Certification
Log # TC-16-08
Property Identification # 08-20.0-100-003

RECEIVED
Division of Legal Counsel

MAR 17 2009

Environmental Protection
Agency

The Bureau of Water received a request on May 5, 2008 from Charles Burrus 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:

Sangamon Prairie Pork Farm
10220 McLaughlin Road
Williamsville, IL 62693

Section 20, T17N, R3W of the 3rd P.M. in Sangamon County

Livestock waste management facilities consisting of one concrete manure pit (181.2 ft. x 51.2 ft. x 9 ft. deep) with eight concrete pump outs (each 6 ft. x 5 ft. x 9 ft. deep) with treated wood covers, and the slotted concrete portion of the floor over the manure pits.

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.

SAK:TJF:TC-16-08.doc

cc: Tax Cert File

Project Name: Sangamon Prairie Park Farm
Reviewer: Therese Knight
Log No.: TC-16-08

Location: Williansville
Date: 12/19/08
Type: Agchem
 Livestock

Applicant: Charles Burrus
9951 McLaughlin Rd.
Williansville IL 62693
217-566-2047

Contact: Kevin Schafer
Phone: 217-494-1490

Facility: Sangamon Prairie Park Farm
10220 McLaughlin Road
Williansville IL 62693

Property ID: 08-20.0-100-003

Legal Description: Section 20, T17N, R3W of 11th PM

County: Sangamon

Date Control Devices Installed: 10/2006

Provided Fair Cash Value: \$200,000

Signature: Signed by Kevin Schafer

Title: Manager/owner

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:

One concrete manure pit (181.2 ft x 51.2 ft x 9.5' deep) w/ concrete stairs and
2 concrete pumps (each 6 ft x 5.2' x 6 ft deep) covered with
treated wood covers

Other: _____

***** PCB 2009-082 *****
 APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)

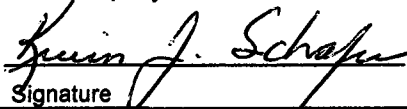
POLLUTION CONTROL FACILITY
 AIR WATER

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
Sec. A APPLICANT	Company Name SANGAMON PRAIRIE PORK FARM		
	Person Authorized to Receive Certification CHARLES BURRUS		Person to Contact for Additional Details KEVIN SCHAFER
	Street Address 9951 McLAUGHLIN RD		Street Address 10251 McLAUGHLIN RD
	Municipality, State & Zip Code WILLIAMSVILLE IL 62693		Municipality, State & Zip Code WILLIAMSVILLE IL 62693
	Telephone Number 217-566-2047		Telephone Number 217-494-1490
	Location of Facility Quarter Section Township Range	Municipality Township	
	SW NW 20-17-3	SANGAMON BUFFALO HART	
	Street Address 10220 McLAUGHLIN RD	County SANGAMON	Book Number
	Property Identification Number 08-20,0-100-003	Parcel Number	
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location PORK PRODUCTION	
Water Pollution Control Construction Permit No.		Date Issued	
NPDES PERMIT No. NA		Date Issued	Expiration Date
Air Pollution Control Construction Permit No. NA		Date Issued	
Air Pollution Control Operating Permit No. NA		Date Issued	
Sec. C MANUFACTURING PROCESS	Describe Unit Process HOG FINISHER FACILITY		
	Materials Used in Process FEED, WATER		
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility SEE ATTACHED PAGE		
	RECEIVED STATE OF ILLINOIS MAY 05 2008 Environmental Protection Agency BUREAU OF AIR		

POLLUTION CONTROL FACILITY - CONTAMINANTS ACCOUNTING DATA	(1) Nature of Contaminants or Pollutants		
			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	HOG WASTE		CONTAINED
			SPREAD ON FARM
			GROUND @ AGRICULTURAL
			RATES
	(2) Point(s) of Waste Water Discharge		
	NONE		
	Plans and Specifications Attached		Yes <input type="checkbox"/>
		No <input checked="" type="checkbox"/>	
(3)	Are contaminants (or residues) collected by the control facility?	Yes <input type="checkbox"/>	
		No <input checked="" type="checkbox"/>	
(4)	Date installation completed <u>OCT 2006</u> status of installation on date of application <u>COMPLETE</u>		
(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:		
		\$ <u>200,000</u>	
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:		
		\$ <u>10,000</u>	
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:		
		\$ <u>45,000</u>	
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:		
		\$ <u>1000</u>	
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:		
		% <u>65</u>	
Sec. F	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.		
SIGNATURE			
	Signature	Title <u>MANAGER - OWNER</u>	
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.		
	Submit to: Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276	Attention: Al Keller Permit Section Division of Water Pollution Control	Attention: Donald E. Sutton Permit Section Division of Air Pollution Control

Illinois EPA
P.O. Box 19276
Spfld. Il. 62794

Attention:
Al Keller
Donald E. Sutton
Permit Section
Div. of Water Pollution Control

Sangamon Prairie Pork Farm has constructed a hog finishing facility on this parcel (08-20.0-100-003) and placed it into service in October of 2006. The facility was designed by Frank & West Engineers of Springfield, Illinois.

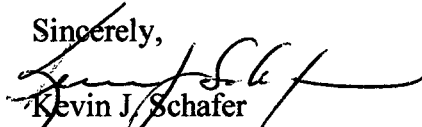
The building has a manure containment structure consisting of a concrete manure pit that measures 51.2 ft x 181.2 ft x 9.0 ft deep. The pit contains 56 concrete piers that support 4 rows of 8" x 10" concrete lintels. Covering this is 5 rows of 4 ft x 10 ft concrete gang slats. There are 8 concrete pumpout boxes located along the perimeter of the main pit. The pumpouts boxes are 5 ft x 6 ft x 9 ft deep and have treated wood covers on them.

I have enclosed copies of bills for materials and design of this structure.

Please contact me if you need any additional information at 217-494-1490.

Thank you, in advance for your attention to this matter.

Sincerely,


Kevin J. Schafer
Sangamon Prairie Pork Farm

***** PCB 2009-082 *****



INVOICE NO. 055513

INVOICE DATE 04/17/09

INTEGRATED AG PRODUCTS

PAGE 1

HOG SLAT, INC.

208 Fayetteville Street
P. O. Box 300
Newton Grove, N. C. 28366-0300

BILL TO:

CAMPBELL PONTIAC PARK
9501 WILKINSON RD
SANDHURST COUNTY
WILKINSONVILLE, IL 62693
USA

SHIP TO:

CAMPBELL PONTIAC PARK
9501 WILKINSON RD
SANDHURST COUNTY
WILKINSONVILLE, IL 62693
USA

Remit To: Hog Slat, Inc. Integrated Ag Products P.O. Box 60558, Charlotte, N.C. 28260*

CUSTOMER		SHIP VIA	F.O.B.		TERMS	
9555		TRUCK	Origin		Net 10 Days	
PURCHASE ORDER NUMBER			SALESPERSON		ORDER DATE	OUR ORDER NUMBER
9555			05		05/21/09	810011/0408106
QTY ORDERED	QTY SHIPPED	ITEM NUMBER	UNIT OF MEASURE	UNIT PRICE	EXTENDED PRICE	
	BACK ORDERED	ITEM DESCRIPTION		DISCOUNT %	TAX	
	1	FREIGHT	EACH	3694.0000		3694.00
	0	FREIGHT CHARGES		4.9000		
225	0	101444		37.0000		8325.00
	0	4" X 10" X 1" BANG SLATS BRUSH FINISH		0.0000		
177	0	101444		64.0000		11328.00
	0	6" X 10" X 12' LAMEL		0.0000		
4	0	101444	BOX	28.0000		112.00
	0	SHIMS, PLASTIC 1/8" X 1" X 2"		0.0000		
Description		Amount		Tax		
Sales Tax		3002.42		0.00		
Total						30,203.00

Frank & West Env. Eng., Inc.

7226 N. State Route 29

Springfield, IL 62707

Phone: 217/487-7686

Fax: 217/487-7687

May 31, 2006

Sangamon Prairie Pork Farm

9951 McLaughlin Road

Williamsville, IL 62693

Attention: Kevin Schafer

*Charles,
I called and took
care of this - Invoice Rec.
DISCOUNT*

Invoice Number: 3425

Project: 06-141

Sangamon Prairie Pork Farm

Professional Services for the Period: 5/1/2006 to 5/31/2006

Billing Group: 00001 Fixed Fee

Invoice: 3425

May 31, 2006

Contract Amount: \$1,310.00

Percent Complete: 100.00

Fee Earned: \$1,310.00

Prior Fee Billings: \$1,310.00

Current Fee Total: \$0.00

Date

Bill Hours

Charge

Date

Statement

Electronic Filing - Received, Clerk's Office, April 14, 2009

Claude Frieland * * PCB 2009-082 * * * * * Home: 618-423-2183

Owner

Mobile: 618-267-5210

C F Builders

Commercial • Residential • Post Frames



R. R. 1 • Box 109

Ramsey, IL 62080

Date

4/20 2006

In Account With

122	2X6X12 11.59 EC.	1413.98
65	2X6X16 15.80 EC.	1020.00
8	2X6X14	103.68
12	3/4 ply wood TREATED (For Pumpour Covers)	395.40
23	1/2 ply wood TREATED	584.20
		3517.26
		219.80
		3737.06

*Paid
in
full*

tax

#19

***** PCB 2009-082 *****

MICHEL CONCRETE, INC.

3101 GREAT NORTHERN DRIVE
 SPRINGFIELD, IL 62711

INVOICE

Invoice Number: 06-0621-A005

Invoice Date: 6/21/06

Page: 1

Voice: 217-698-9800

Fax: 217-793-6212

Bill To:
Sangamon Prairie Park 9951 McLaughlin Road Williamsville, IL 62693

Customer ID: sanp

Customer PO	Payment Terms	Sales Rep ID	Due Date
Buffalo Hart	Net Due		6/21/06

Description	Amount
Contract amount due	77,440.00
Extras:	
Rock	658.00
2 additional pump-outs	2,448.00

Subtotal	80,546.00
Sales Tax	
Total Invoice Amount	80,546.00
Payment/Credit Applied	
TOTAL	80,546.00

Check/Credit Memo No: