Electronic Filing - Received, Clerk's Office, April 29, 2009

* * * * PCB 2009-103 * * * * *

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| Sangamon Prairie Pork Farm Williamsville |) |
|--|-----------------------|
| (Property Indentification 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, Illinois 60601

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794 Charles Burris 9951 McLaughlin Rd. Williamsville, Illinois 62693

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

P. 171

Vera Herst

Assistant Counsel

Division of Legal Counsel

DATED: April 29, 2009

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

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| * * * * * PCB 2009-103 * * * * * | |

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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| |) |
| |) |

APPEARANCE

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

Vera Herst

Assistant Counsel

Division of Legal Counsel

DATED: April 29, 2009 Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)782-5544

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| * * * * * PCB 2009-103 * * * * * | | |

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| Sangamon Prairie Pork Farm Williamsville |) |
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| |) |

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 (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, Illinois 62693
- 3. The proposed water pollution control facilities in this request are located at Section 20, T17N, R3W of the 3rd P.M. in Sangamon, 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.

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

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requested tax certification.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Vur Hero

Vera Herst

Assistant Counsel

Division of Legal Counsel

Dated: April 29, 2009 Illinois Environmental Protection Agency 1021 North Grand Ave. E. P.O. Box 19276

Springfield, Illinois 62794-9276 217/782-5544

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| * * * * * PCB 2009-103 * * * * * | |

| STATE OF ILLINOIS |) |
|--------------------|--------|
| COUNTY OF SANGAMON |)) |

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on April 29, 2009, I served true and correct copies of an **APPEARANCE AND THE RECOMMENDATION**, upon the persons and by the methods as follows:

[1st Class U.S. Mail] Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794 [1st Class U.S. Mail] Charles Burris 9951 McLaughlin Rd. Williamsville, Illinois 62693

[Electronic Filing]

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ Vera Herst Assistant Counsel Division of Legal Counsel 1021 North Grand Avenue East P.O. Box 19276-Springfield, Illinois 62794-9276 217.782.5544 217.782.9143 (TDD)

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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. BLAGOIEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

Memorandum

To:

Connie Tonsor, Division of Legal Counsel

From: Al Keller, Manager, Permit Section

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

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 II. 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: Reviewer: Log No.: | Sangamon Practic Pork From Thinkle target TC-14-08 | Location: Date: Type: | Williamsville 12/19/08 |
|--|--|---------------------------------|-----------------------------------|
| Applicant: | Charles Burrus 985 MeLaughlin Rd. Williamsville IL 62693 | Contact: Phone: | Kevin Schafer 217-494-1490 |
| Facility: | Sangamon Prairie Pork Farm 10220 m. Laughlin Rond Willamsville 62693 | Property ID: | 08-20.0-100-003 |
| Legal Description: | Section 20, TITN, R3W of 14318 PM | County: | Sargamon |
| Date Control Devices Installed: | 10/2006 | Provided Fair Cash Value: | \$200,000 |
| Signature: | Signed by Kovin Schafer | Title: | Manager/Owner |
| Wastes: | Livestock waste is applied to cropland. Agrichemical rinsate and spillage is recycled through the factorial Other: n of Pollution Control Devices: | acility and/or l | and applied. |
| One Control | e manure pit (181.2 ft x 51.2 ft x 9 ft de 8 concrete pumpouts (each 6 ft x 5 ft x treated word covers | | ancrete slats and a) convert with |
| Other: | | | |
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TC-14-08

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 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.

| | FOR AGENCY USI | E | \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ | |
|---|---|-------------------|--|---|
| File No. | Date Received | Certification No. | | Date |
| Sec. A | Company Name | E PO | OV EAR | m |
| | Person Authorized to Receive Certification CHARLES BURRUS Street Address | - 0 | Person to Contact for Ac | CHAFER |
| APPLICANT | Municipality, State & Zip Code WILLIAMS VILLE IL GZL Telephone Number | <u> </u> | Municipality, State & Zip Municipality, State & Zip Municipality, State & Zip Municipality, State & Zip Telephone Number Zi7-494- | AUGHZIN KO Code U.E. 12 62493 |
| • | 217-566 - Ze 47 Location of Facility Quarter Section Township SW NW Ze - 1 Street Address | Range 17-3 | Municipality SANGAMON County | Township BUFFALO HART Book Number |
| | 10 Z Ze Me LAUG 16c Property Identification Number 08-20,0-100-0 | 100 00 102 | SANGAMON Parcel Number | |
| Sec. B | Nature of Operations Conducted at the Abov | | | |
| TURING IONS | PORK PRODUCTOR Water Pollution Control Construction Permit | | Date Issued | |
| MANUFACTURING OPERATIONS | NPDES PERMIT No. | | Date Issued | Expiration Date |
| 2 | Air Pollution Control Construction Permit No. | | Date Issued | |
| | Air Pollution Control Operating Permit No. | | Date Issued | |
| Sec. C | Describe Unit Process HOG FINISHER | FACILI | . 121 | |
| TURING | ,, | | | |
| MANUFACTURING PROCESS | Materials Used in Process FEED, WATER | | | RECEIVED STATE OF ILLINOIS |
| | | | | MAY 0 5 2008 |
| ONTROL SRIPTION Sec. D | Describe Pollution Abatement Control Facility 5== ATTACH&D | PAGE | | Environmental Protection Agent BUREAU OF AIR |
| POLLUTION CONTROL FACILITY DESCRIPTION | | | | |

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| Sec. E | (1) Nature of Contaminants or Pollutants | | | | | | |
|--|--|---|--|--|--|--|--|
| | <u> </u> | | Material Reta | eined Cant | ured or Recove | rod | |
| POLLUTION CONTROL FACILITY - CONTAMINANTS | Conta | aminant or Pollutant | DESCRIPTION | ined, Captured or Recovered DISPOSAL OR USE | | | |
| NA NA | | OG WASTE | CONTAINGO | | ON FA | | |
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| ACII | (2) D | into -618/s sta 18/stay Discharge | | <u> </u> | | | |
| ٩ ۲ | (2) 10 | pint(s) of Waste Water Discharge | NONE | ······ | | | |
| Ę | | | Plans and Specifications | Attached | Yes 🗆 | No KS | |
| Õ | (3) | Are contaminants (or residues) collec | | Milaonec | Yes 🗆 | No-IZI/ | |
| <u>S</u> | (4) | Date installation completed <u>OCT</u> 2 | | n date of a | | | |
| TJ.₹ | (5) | a. FAIR CASH VALUE IF CONSIDERE | | 11 44, | ^ | | |
| Pol | 197 | | | · | \$ 200,0 | <u>00</u> | |
| NG L | \vdash | b. NET SALVAGE VALUE IF CONSIDE | <u> </u> | | 10.0 | 000 | |
| Ž, | | c. PRODUCTIVE GROSS ANNUAL INC | | | | 000 | |
| ဝ၁၁ | | d. PRODUCTIVE NET ANNUAL INCOM | ME OF CONTROL FACILITY: | | \$ 10 | 000 | |
| ¥ | | e. PERCENTAGE CONTROL FACILITY | Y BEARS TO WHOLE FACILITY | VALUE: | % 65 | | |
| Sec. F | | llowing information is submitted in accorda | | | | | |
| 111 | knowle | edge, is true and correct. The facilities clai | | | | | |
| SIGNATURE | Illinois | Property Tax Code. | | | | | |
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| SiG | -Jre | | | | | | |
| | Signa | ture // | Title | | | | |
| | | | | | | | |
| Sec. G | | INSTRUCTIONS | S FOR COMPILING AND FILING APP | PLICATION | | | |
| Sec. G | | al: Separate applications must be completed for | or each control facility claimed. Do no | ot mix types (v | | ere both air and | |
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Electronic Filing - Received, Clerk's Office, April 29, 2009

* * * * PCB 2009-103 * * * *

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

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INVOICE INVOICE NO.

INTEGRATED AG PRODUCTS

INVOICE DATE

PAGE

HOG SLAT, INC. 208 Fayetteville Street P. O. Box 300

Newton Grove, N. C. 28366-0300

BILL TO:

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Barrier Committee Committee Ball both without the Line of the file of the second

SHIP TO:

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

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Electronic Filing - Received, Clerk's Office, April 29, 2009 * * * PCB 2009-103 * * * * *

| Frank & West Env. Eng 7226 N. State Route 29 | . Le pero |
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| Springfield, IL 62707 | to or all |
| Phone: 217/487-7686 Fax: 217/487-7687 | J. T. T. Water |
| May 31, 2006 | Charlesid and took suppose pero. Charlesid and state suppose pero. Lave a source source. |
| Sangamon Prairie Pork Farm | Mari aller In. |
| 9951 McLaughlin Road | Car of in |
| Williamsville, IL 62693 | Jave - 500th |
| Attention: Kevin Schafer | ρ |

Invoice Number:

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 29, 2009 Electronic Filing - Received, Olonic Chaude Friesland * * * * PCB 2009-103 * * * * * * Home: 618-423-2183 Mobile: 618-267-5210

Commercial · Residential · Post Frames



R. R. 1 • Box 109 Ramsey, IL 62080

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* * * * * PCB 2009-103 * * * * *

MICHEL CONCRETE, INC.

3101 GREAT NORTHERN DRIVE SPRINGFIELD, IL 62711

Invoice Number: 06-0621-A005

Invoice Date:

6/21/06

Page:

1

Voice: 217-698-9800 Fax: 217-793-6212

"Bill To: Sangamon Prairie Pork 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 | The state of the s | Temporario (material de como d | Amount |
|------------------------|--|--|-----------|
| Contract amount due | | | 77,440.00 |
| Extras: | | | |
| Rock | | | 658.00 |
| 2 additional pump-outs | | | 2,448.00 |
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| | Subtotal | _ | 80,546.00 |
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| | Total Invoice Amo | ount | 80,546.00 |
| Check/Credit Memo No: | Payment/Credit A | Applied | |
| | TOTAL | | 80,546.00 |