

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Steve Sturtevant)
(Property Identification Number) PCB 16-
01-05-16-100-002) (Tax Certification)
)

NOTICE


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

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

Steve Sturtevant
26278 Payne Road
Shannon, Illinois 61078

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an **APPEARANCE and RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 

Michael S. Roubitchek
Assistant Counsel
Division of Legal Counsel

DATED: December 30, 2016

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


BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Steve Sturtevant)
(Property Identification Number) PCB 16-
01-05-16-100-002) (Tax Certification)
)

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: 

Michael S. Roubitchek
Assistant Counsel
Division of Legal Counsel

DATED: December 30, 2016

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1021 North Grand Avenue East
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RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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 (“Board”), 35 Ill. Adm. Code 125.204.

1. On May 16, 2016, the Illinois EPA received a request from Steve Sturtevant (log number TC-135129, 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 facility’s address is:

Steve Sturtevant
25416 Payne Road
Shannon, IL 61078

The proposed water pollution control facilities in this request are located in the NW ¼ of Section 16, T25N, R6E of the 4th P.M. in Carroll County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (approximately 101 ft. x 208 ft. x 10 ft. deep), the concrete slat portion of the floor over the manure pit that captures and contains waste generated in the barn above, and eight concrete pump out pits (each approximately 6 ft. x 6 ft.).

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

3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2014), and Section 125.200(a) of the Board's regulations, 35 Ill. Adm. Code 125.200(a), define

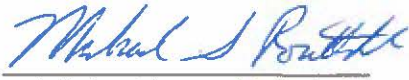
"pollution control facilities" as:

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: eliminating, preventing, or reducing air or water pollution ...or 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. In order to receive preferential tax treatment as pursuant to 35 ILCS 200/11-5 (2014), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2014) and 35 Ill. Adm. Code 125.200(a).
5. Upon receipt of a tax certification application, the Illinois EPA must file a recommendation on the application with the Board, 35 Ill Adm. Code 125.204(a).
6. Based on the information in the application and the purpose of the facility, 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: 
Michael S. Roubitchek
Assistant Counsel
Division of Legal Counsel

Dated: December 30, 2016

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) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, ACTING DIRECTOR

Memorandum

To: Charles Gunnarson, Division of Legal Counsel

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

Date: NOV 23 2016

Re: Steve Sturtevant – Shannon
Recommendation of Tax Certification
Log # TC-135129
Property Index# 01-05-16-100-002

The Bureau of Water received a request on May 16, 2016 from Steve Sturtevant for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204. We offer the following recommendation.

The water pollution control facilities in this request include the following:

Steve Sturtevant
25416 Payne Rd.
Shannon, IL

NW ¼ of Section 16, T25N, R6E of the 4th PM in Carroll County

The livestock waste handling facilities consist of one (1) concrete manure pit (approximately 101 ft. x 208 ft. x 10 ft.) and the concrete slat portion of the floor over the manure pit that capture and contain waste generated in the barn above. The concrete manure pit has eight (8) (approximately 6 ft. x 6 ft. each) pumpout pits to allow manure removal from the manure pit. The facility collects, transports and stores livestock waste prior to cropland application.

The facility is 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 Wei Han at 217/782-0610.

SAK:WH:Tax Cert Recommendation.docx

cc: Tax Cert File

Watershed Unit Tax Certification Review Sheet

Project Name: Sturtevant Farm

Date: November 22, 2016

Reviewer: WH

Type: Agchem
 Livestock

Log number: TC-135129

Contact: Scott Sturtevant
3-597 FawnRidge Drive
Lanark, IL 61046
Phone: 815-238-3114

Applicant: Steve Sturtevant
26278 Payne Rd.
Shannon, IL 61078

Property ID: 01-000-085-00 (not in use)

Facility: Sturtevant Farms
25416 Payne Rd.
Shannon, IL

Parcel#: 01-05-16-100-002

County: Carroll

Legal Description:
Section:16 Twp: 25N R: 6E PM: 4th

Signature: Steve Sturtevant

Date Control Devices installed: 01/2015

Title: 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:

The livestock waste handling facilities consist of one (1) concrete manure pits (approximately 101 ft. x 208 ft. x 10 ft.) and the concrete slat portion of the floor over the manure pit that capture and contain waste generated in the barn above. The concrete manure pit has eight (8) (approximately 6 ft. x 6 ft.) pumpout pits to allow manure removal from the manure pit. The facility collects, transports and stores livestock waste prior to cropland application.

11/18/2016: Section number for legal description is missing. Called Scott Sturtevant. He indicated that the section number is 16.

11/22/2016: Scott Sturtevant called the reviewer. He provided the property ID#. But stated that the property ID# is old and no longer used in the county property assessment.

Recommended Action: Issue tax certification.

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)
 POLLUTION CONTROL FACILITY
 AIR WATER

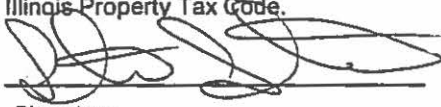
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 P. O. Box 19276, Springfield, IL 62794-9276

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

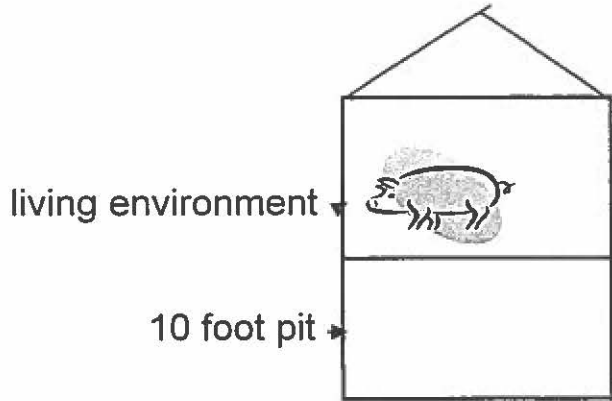
File No.	Date Received	Certification No.	Date	
Sec. A APPLICANT	Company Name Steve Sturtevant			
	Person Authorized to Receive Certification Steve Sturtevant		Person to Contact for Additional Details Scott Sturtevant	
	Street Address 26278 Payne Road		Street Address 3-597 FawnRidge Drive	
	Municipality, State & Zip Code Shannon, IL 61078		Municipality, State & Zip Code Lanark, IL 61046	
	Telephone Number (815) 864-2472		Telephone Number (815) 238-3114	
	Location of Facility Quarter Section	Township	Range	Municipality
	NW 1/4	T25N	R6E	Shannon
	Street Address 25416 Payne Road	County Carroll	Book Number	T25N
	Property Identification Number	Parcel Number 01-05-16-100-002		
Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location 2480hd Swine Finishing Facility			
	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 MANUFACTURING PROCESS	Describe Unit Process			
	Materials Used in Process			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility			
	Manure structure that include a: 10' deep manure pit (101' x 208') and includes the concrete slatted floors and the facility has eight (6' x 6' x 10' foot deep) concrete pump outs.			

RECEIVED
 MAY 16 2016
 SW/WS/IFAS

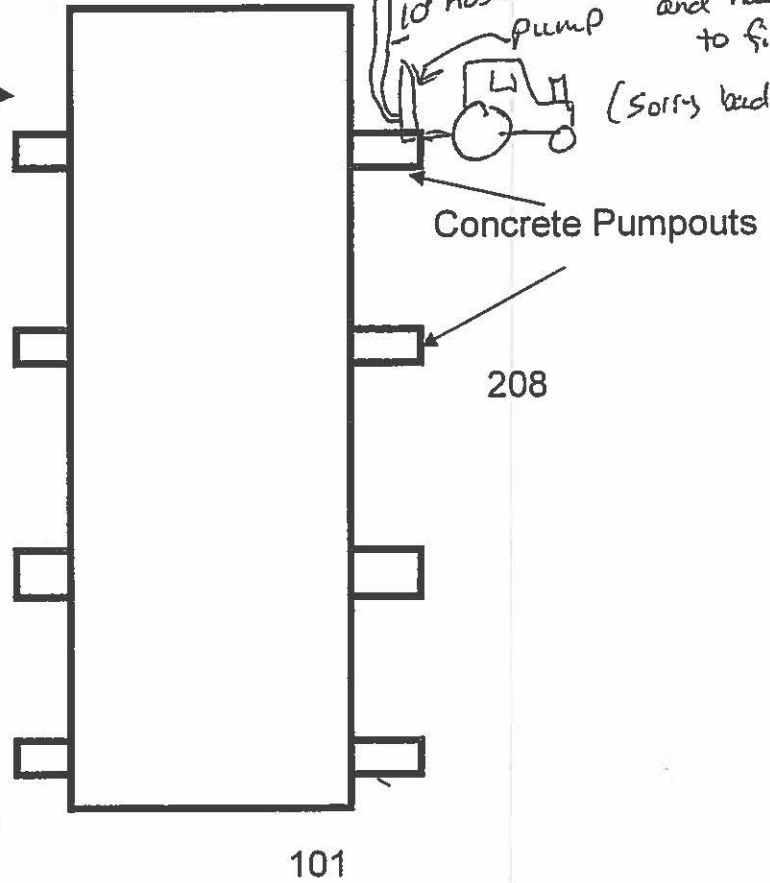
Sec. E POLLUTION CONTROL FACILITY - CONTAMINANTS ACCOUNTING DATA	(1) Nature of Contaminants or Pollutants			
			Material Retained, Captured or Recovered	
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE	
	Liquid swine waste	From finishing pigs	Land applied to adjacent fields	
	(2) Point(s) of Waste Water Discharge			
			Plans and Specifications Attached	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	(3)	Are contaminants (or residues) collected by the control facility?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	(4)	Date installation completed <u>01/02/15</u> status of installation on date of application _____		
	(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$	275,000.00
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$		
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$		
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$		
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	%	40	
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.			
		Owner	_____	
	Signature	Title		
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. 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 <u>pollution control facility</u> . Include a listing of each major piece of equipment included in the claimed fair cash value for real property. Include an <u>average</u> 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:	Attention:	Attention:
		Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276	Al Keller Permit Section Division of Water Pollution Control	Donald E. Sutton Permit Section Division of Air Pollution Control

Steve Sturtevant

new swine finishing facility, measuring 101'x208'

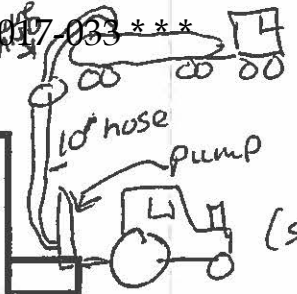


Cross Section of Building



(Sorry bad drawing)

Pumped onto Semi and hauled to field



The Swine waste is contained in the concrete pit under the entire building. The manure is pumped onto a semi-tanker through a ten inch rubber manure hose. The pump is always being monitored by the person loading the semi with the shut off so that no spills will occur. The manure is then transported to the appropriate field and unloaded onto the tank wagon which will inject the manure directly into the soil. This leaves no opportunity for Run-off and maximizes the fertilizer value of the waste. All the waste is injected to further reduce odor and potential runoff. The tractor operator is always in full view of the tank wagon and tanker to prevent any breach that would occur in the transfer of manure

No groundwater is within one mile of this facility and there are numerous buffer zones and filter strips to prevent any runoffs from reaching them in case a spill occurred.

STATE OF ILLINOIS

COUNTY OF SANGAMON

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CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of December 30, 2016, the attached **APPEARANCE** and **RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**, upon the following persons by causing to be mailed a true copy thereof in an envelope duly addressed, bearing proper first class postage, and deposited in the United States mail at Springfield, Illinois:

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

Steve Sturtevant
26278 Payne Road
Shannon, Illinois 61078

[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/ Michael S. Roubitchek
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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