

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

NOTICE

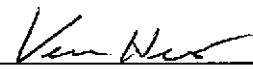
Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite. 11-500
Chicago, Illinois 60601

Charles Burris
9951 McLaughlin Rd.
Williamsville, Illinois 62693

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.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By: 
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

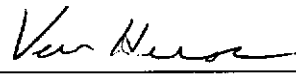
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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:  _____
 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

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 (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.

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: 
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

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)

THIS FILING IS SUBMITTED ON RECYCLED PAPER



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

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:
Reviewer:
Log No.:

Sangamon Prairie Park Farm
Thudde's Faugh's
TC-16-08

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

Applicant:

Charles Burris
9951 McLaughlin Rd.
Williamsville IL 62693
217-566-2047

Contact: Kevin Schafer
Phone: 217-494-1490

Facility:

Sangamon Prairie Park Farm
10220 McLaughlin Road
Williamsville 62693

Property ID: 08-20.0-100-003

Legal Description:

Section 20, T17N, R3W of 16³ 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 (101.2 ft x 51.2 ft x 9 ft deep) w/ concrete slats and
8 concrete pumpouts (each 6 ft x 5 ft x 9 ft deep) covered with
treated wood cokers

Other:

TC-11e-08

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

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 SW NW 20-17-3		Municipality Township SANGAMON BUFFALO HART
	Street Address 10220 McLAUGHLIN RD		County Book Number SANGAMON
	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

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
	HOG WASTE	CONTAINED	SPREAD ON FARM GROUND @ AGRICULTURAL RATES
	(2) Point(s) of Waste Water Discharge <u>NONE</u>		
		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>	
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.		
	<u>Kevin J. Schafar</u>		<u>MANAGER - OWNER</u>
	Signature		Title
	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.		
INSTRUCTIONS	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:
	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

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

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 - I gave you
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

<u>Date</u>	<u>Bill Hours</u>	<u>Charge</u>
-------------	-------------------	---------------

Date

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

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: