

JAN 14 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD STATE OF ILLINOIS
Pollution Control Board

HAMMETT FARMS, INC.
(Property Identification Number
11-12-300-009)

)
) PCB 04- 123
)

NOTICE

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

Stuart Hammett
Hammett Farms
16222 Crego Road
DeKalb Illinois 60115

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
Lisa Moreno
Assistant Counsel
Division of Legal Counsel

DATED: January 12, 2004

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

JAN 14 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD


HAMMETT FARMS, INC.
(Property Identification Number
11-12-300-009)

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) PCB 04- 123
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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: January 12, 2004

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

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

HAMMETT FARMS, INC.
(Property Identification Number
11-12-300-009)

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RECOMMENDATION

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

1. On December 9, 2002 the Illinois EPA received a request from Hammett Farms, Inc. (log number TC 16-02, Exhibit A) for a recommendation regarding the tax certification of water pollution control facilities, pursuant to 35 Ill. Adm. Code 125.204.
2. The applicant's address is: Stuart Hammett
Hammett Farms, Inc.
16222 Crego Road
DeKalb Illinois 60115
3. The proposed water pollution control facilities in this request are located in Section 12, T39N, Range 4E of the 3rd Principal Meridian, DeKalb County at the above address, and consist of the following livestock waste management facilities:

One concrete manure pit (40 ft. x 344 ft. x 8 ft. deep) with 8 concrete manure pump-out boxes (each 5 ft. x 5 ft. x 8.5 ft. deep) and the slotted portion of the floor located over the manure pit in one swine confinement building.

One concrete manure pit (24 ft. x 50 ft. x 6 ft. deep) with two 8-inch diameter PVC manure pump-out ports and the slotted portion of the floor located over the manure pit in one swine confinement building.

THIS FILING IS SUBMITTED ON RECYCLED PAPER

One concrete manure pit (24 ft. x 70 ft. x 4 ft. deep) with three 8-inch diameter PVC manure pump-out ports and the slotted portion of the floor located over the manure pit in one swine confinement building.

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

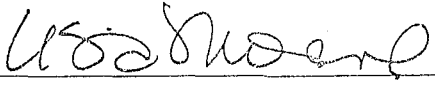
4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10, defines “pollution control facilities” as:

“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 grant the requested tax certification.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 

Lisa Moreno
Assistant Counsel
Division of Legal Counsel

DATED: January 12, 2004

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

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 <i>Hammett Farms</i>		Person Authorized to Receive Certification <i>Stuart Hammett</i>	Person to Contact for Additional Details <i>same</i>
	Street Address <i>16222 Crego Rd</i>		Street Address	
	Municipality, State & Zip Code <i>DeKalb IL 60115</i>		Municipality, State & Zip Code	
	Telephone Number <i>815-756-9095</i>		Telephone Number	
	Location of Facility Quarter Section <i>12</i>	Township <i>T39N</i>	Range <i>4E</i>	Municipality <i>AFTon</i>
	Street Address <i>Same</i>		County	Township Book Number
	Property Identification Number <i>11-12-300-009</i>		Parcel Number <i>11-12-300-009</i>	
	Sec. B Nature of Operations Conducted at the Above Location <i>Swine manure</i>			
	MANUFACTURING OPERATIONS	Water Pollution Control Construction Permit No.		Date Issued
		NPDES PERMIT No.		Date Issued
Air Pollution Control Construction Permit No.		Date Issued		
Air Pollution Control Operating Permit No.		Date Issued		
Sec. C MANUFACTURING PROCESS	Sec. C Describe Unit Process			
	Materials Used in Process			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Sec. D Describe Pollution Abatement Control Facility I have three Manure containment facilities that have total slatted floors. One is 40' x 344' and 8 feet deep. Along one side there are 8 evenly spaced pump-outs that are 4' x 5'. The second is 24' x 50' and 6' deep. The third is 24' x 70', 4' deep. There is a drainage ditch that is within 700' of these containment facilities. The manure is pumped into a tanker which incorporates the manure into the soil, reducing chances of runoff.			

RECEIVED
 DEC 09 2002
 Watershed Management Section
 BUREAU OF WATER



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR RENEE CIPRIANO, DIRECTOR

217/782-3362

SFP 0 2 2003

Stuart Hammett
Hammett Farms
16222 Crego Rd.
De Kalb, IL 60115

Re: Illinois Property Tax: Hammett Farms - De Kalb
Livestock Waste Containment Facilities
Log No. TC-15-02

Dear Mr. Hammett:

The application for Illinois Property Tax Certification received December 9, 2002 for the above listed facilities has been reviewed and the following is offered for your consideration and appropriate action.

1. Please provide the material of construction of the three manure pits. *concrete with rebar*
2. Please provide the dimensions (length, width, and depth) and material of construction of the pump out ports for the three manure pits. *5' x 5' x 8.5' concrete with rebar*
3. Please state how many pump out ports are located along the 24' x 50' x 6' manure pit and the 24' x 70' x 4' manure pit. *(3) PVC pipe 8" (2)*

Please review the subject applications accordingly for the items specified above and submit to the Illinois Environmental Protection Agency so that we may complete the review of the subject application. Please include the above log number on all correspondence.

If you have any questions or comments concerning the above items, please contact me at the above address and telephone number.

Very truly yours,

Matthew Talbert

Matthew Talbert
Facility Evaluation Unit
Watershed Management Section
Bureau of Water

MAT:TC1602r1

Thank you Cliff Hammett



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397
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ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-3367

SFP 02 2003

Stuart Hammett
Hammett Farms
16222 Crego Rd.
De Kalb, IL 60115

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Log No. TC-15-02

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3. Please state how many pump out ports are located along the 24' x 50' x 6' manure pit and the 24' x 70' x 4' manure pit.

Please review the subject applications accordingly for the items specified above and submit to the Illinois Environmental Protection Agency so that we may complete the review of the subject application. Please include the above log number on all correspondence.

If you have any questions or comments concerning the above items, please contact me at the above address and telephone number.

Very truly yours,

✓ Matthew Talbert
Facility Evaluation Unit
Watershed Management Section
Bureau of Water

MAT:TC1602rl



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-3362

copy

Stuart Hammett
Hammett Farms
16222 Crego Rd.
De Kalb, IL 60115

Re: Illinois Property Tax: Hammett Farms – De Kalb
Livestock Waste Containment Facilities
Log No. TC-15-02

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If you have any questions or comments concerning the above items, please contact me at the above address and telephone number.

Very truly yours,

Matthew Talbert
Facility Evaluation Unit
Watershed Management Section
Bureau of Water

MAT:TC1602rl

STATE OF ILLINOIS
COUNTY OF SANGAMON

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)
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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:

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

Stuart Hammett
Hammett Farms, Inc.
16222 Crego Road
Dekalb Illinois 60115

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

and mailing it from Springfield, Illinois on January ____, 2004 with sufficient postage affixed for first class mail.

SUBSCRIBED AND SWORN TO BEFORE ME

this __th day of January 2004.

Notary Public