#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Scott Sturtevant )
(Property Identification Number ) PCB 1701-05-16-200-002) ) (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

Scott Sturtevant 3-597 FawnRidge Drive Lanark, Illinois 61046

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

Michael S. Roubitchek Assistant Counsel

Division of Legal Counsel

DATED: January 3, 2017

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

Scott Sturtevant	)
(Property Identification Number	) PCB 17-
01-05-16-200-002)	) (Tax Certification)
	)

# **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

Michael S. Roubitchek Assistant Counsel

Division of Legal Counsel

DATED: January 3, 2017

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

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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.

- On May 18, 2016, the Illinois EPA received a request from Steve Sturtevant (log number TC-135130, 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:

Scott Sturtevant 25852 Payne Road Shannon, IL 61078

The proposed water pollution control facilities in this request are located in the NE 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. x 8 ft. deep).

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.

- 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.
- 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).
- 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

Bv:

Michael S. Roubitchek Assistant Counsel

Division of Legal Counsel

Dated: January 3, 2017

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





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

Date:

NOV 2 3 2016

Re:

Scott Sturtevant - Shannon

Recommendation of Tax Certification

Log # TC-135130

Property Index# 01-05-16-200-002

The Bureau of Water received a request on May 18, 2016 from Scott Sturtevant for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 III. Adm. Code 125.204. We offer the following recommendation.

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

Scott Sturtevant 25852 Payne Rd. Shannon, IL

NW 1/4 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 8 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

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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-135130	Contact: Steve Sturtevant 26278 Payne Rd.			
Applicant: Scott Sturtevant 3-597 FawnRidge Drive Lanark, IL 61046	Shannon, IL 61078 Phone: 815-864-2472			
Facility: Sturtevant Farms	Property ID: 01-000-083-10 (not in use)			
25852 Payne Rd.	Parcel#: 01-05-16-200-002			
Shannon, IL	County: Carroll			
Legal Description: Section:16 Twp: 25N R: 6E PM: 4 <sup>th</sup>	Signature: Scott 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 8 ft.) and the				
concrete slat portion of the floor over the manure pit that capture concrete manure pit has eight (8) (approximately 6 ft. x 6 ft.) pur				
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.				
property ID# is old and no longer used in the county p	er er			
Property ID# is old and no longer used in the county page 10.  Recommended Action: Issue tax certification.	er er			
	er er			
	er er			
	er er			

taxcert review sheet

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

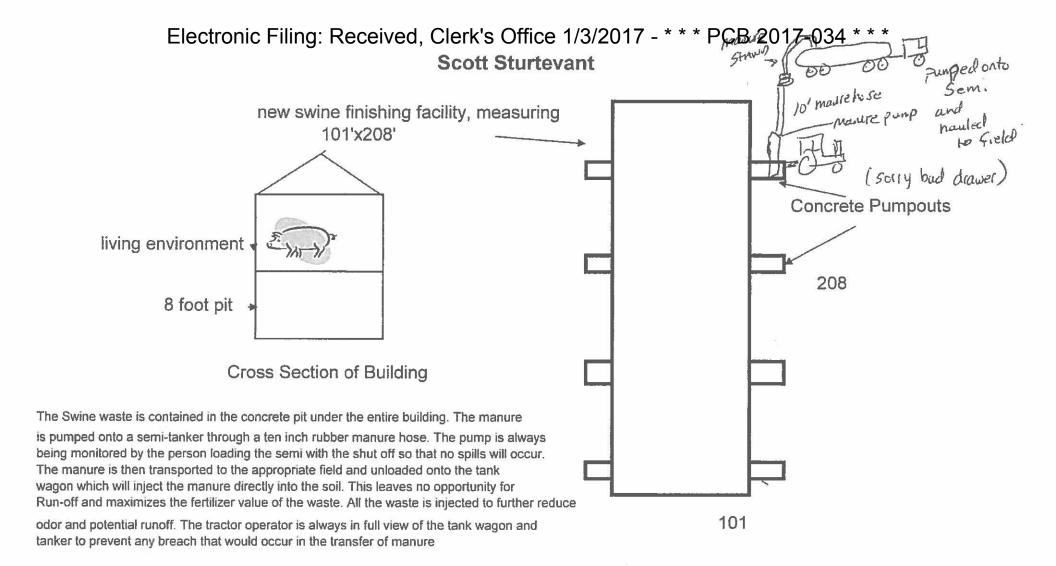
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY P. O. Box 19276, Springfield, IL 62794-9276

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 I	ICE		application for	Certification.	
	FOR AGENCY (	JGE				
File No.	Date Received Certification No.			D	Date	
Sec. A	Company Name			· · · · · · · · · · · · · · · · · · ·		
	Scott Sturtevant					
	Person Authorized to Receive Certificatio	n		ntact for Addit	ional Details	
	Scott Sturtevant		Steve Sturte			
	Street Address		Street Addres 26278 Payn			
	3-597 FawnRidge Drive		ada .			
Ŋ	Municipality, State & Zip Code Municipality, State & Zip Code Shannon, IL 61078				bue	
APPLICANT	Telephone Number		Telephone N			
l dd	(815) 238-3114 (815) 864-2472					
	Location of Facility		Municipality		Township	
	Quarter Section Township	Range		,		
	NE 1/4 T25N	R6E	Shannon		T25N	
	Street Address	Table 1	County	E	Book Number	
	25852 Payne Road	, d	Carroll			
11	Property Identification Number		Parcel Numb			
			01-05-16-20	0-002	100000	
Sec. B	Nature of Operations Conducted at the At	oove Location				
	2480hd Swine Finishing Facility					
	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -					
/n						
N S						
Pê.	Water Pollution Control Construction Peri	nit No.	Date Issued			
P. F.	NECES DEPONE		Data lasued	-	Funitarian Data	
MANUFACTURING	NPDES PERMIT No.		Date Issued		Expiration Date	
Š	Air Bathstian Control Construction Bornit	Ma	Date Issued			
	Air Pollution Control Construction Permit No.  Date Issued					
	Air Pollution Control Operating Permit No		Date Issued		******	
	An i oration control operating i extracted	•	Date 150000			
Sec. C	Describe Unit Process		lana a			
000.0						
					7	
9				1	1)(二)(1)	
E 82	8			.]	1	
MANUFACTURING PROCESS	Materials Used in Process				MAY to the 125	
L SR	at all visit and the contract of the contract				MAY 1 8 July 125	
A A					IEI ; 1	
-				Ξ	OWWPC/FERMIT SECTION	
					W. CICIRIA	
Sec. D	Describe Pollution Abatement Control Fac	cility				
JZ	Manure structure that include a: 8' de	en manure pit (10	1' x 208') and	includes the	concrete slatted floors	
55						
POLLUTION CONTROL FACILITY DESCRIPTION	and the facility has eight (6' x 6' x 8' foot deep) concrete pump outs.					
SS						
<u>E</u> F						
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	Į.					

Sec. E	(1) Nature of Contaminants or Pollutants								
	100	Material Retained, Captured or Recovered						red	
ST.	Conta	minant or Po	llutant		DESCRIPTION		DISPOSAL OR USE		
INA		swine waste			From finishing pigs		lied to adjacent		
ITAN									
100			(-0-1)						
<u> </u>									
FAC	(2) Po	oint(s) of Was	te Water Discharge	-	1				
30.	1-7.	(5) 51 5145	<u></u>					31 341	
ITN					Plans and Specification	ons Attached	Yes ⊠	No 🗆	
Š	-	THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER.	The state of the s	at Colonia Santa	y the control facility?		Yes 🗵	No 🗆	
OF.	(4)	Date installa	tion completed 01/0	2/15	status of installation	on date of a	pplication		
ATA ATA	(5)	a. FAIR CAS	SH VALUE IF CONSID	ERED RE	AL PROPERTY:		\$ 250,000.00		
ភិ		b. NET SAL	VAGE VALUE IF CON	ISIDERED	REAL PROPERTY:		\$		
ITN		c. PRODUC	TIVE GROSS ANNUA	AL INCOME	OF CONTROL FACILIT	Y:	\$	-	
POLLUTION CONTROL FACILITY - ACCOUNTING DATA CONTAMINANTS		d. PRODUC	TIVE NET ANNUAL II	NCOME O	F CONTROL FACILITY:		\$		
Ą		e. PERCEN	TAGE CONTROL FAC	CILITY BEA	ARS TO WHOLE FACILI	TY VALUE:	<sup>%</sup> 40		
Sec. F	The fo	llowing informa	ation is submitted in ac	cordance v	with the Illinois Property	ax Code, as a	mended, and to th	ne best of my	
ш				es claimed	herein are "pollution con	rol facilities" as	defined in Section	on 11-10 of the	
J.	Illinois	Property Tax	Code.						
SIGNATURE	2	- At 0	1. 1. 2	Owne	er				
SIG	The state of the s								
Sec. G	Signature Title  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	C. C Refers to manufacturing processes or materials on which pollution control facility is used.							
ĺ	Sec. D Narrative description of the pollution control facility, indicating that its primary purpose is to eliminate, prevent or reduce pollution.								
ļ		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							
	Sec. E	collection efficiency.  E. List air contaminants, or water pollution substances released as effluents to the manufacturing processes. List also the final							
INSTRUCTIONS	000. 2	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.							
LD		Item (1) - R	tefers to pollutants and co tefers to water pollution b	ontaminants out can apply	removed from the process to water-carried wastes fro	by the pollution commair pollution co	ontrol facility. ntrol facilities. Sub	mit drawings.	
IX		which clearl			eceiving stream, and (b) Sev				
ž		facility.	the collected contaminar	nts are dispo	osed of other than as wastes	s state the dispo	sition of the material	is, and the value	
		in dollars re	daimed by sale or reuse	of the colle	cled substances. State the	cost of reclamation	in and related exper	nse.	
					trol facility was first placed in tification and assessment a				
		activate project review prior to certification by this Agency.							
	Sec. F	Self-explana	atory. Signature must be	a corporate	e authorized signature.				
		Submit to:		Attention	:	Attention:			
		Illinois EPA		Al Keller		Donald E. S	Sulton		
	P.O. Box 19276 Permit Section Perm			Permit Sect	Permit Section				
		Springfield,	IL 62794-9276	Division (	of Water Pollution Control	Division of	Air Pollution Control		

William M



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

STATE OF ILLINOIS	)
COUNTY OF SANGAMON	) )

## **CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that I have served on the date of January 3, 2017, the attached <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL</u>

<u>PROTECTION AGENCY</u>, 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 Scott Sturtevant 3-597 FawnRidge Drive Lanark, Illinois 61046

#### [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)

THIS FILING IS SUBMITTED ON RECYCLED PAPER