

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Knox Farm, LLC-Roanoke )  
(Property Identification Number ) PCB 015-  
03-11-300-009 ) (Tax Certification  
 ) Water)

**NOTICE**

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

John J. Sauder  
506 N. Third St.  
P.O. Box 648  
Roanoke, Illinois 61561

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: Vera Herst  
Vera Herst  
Assistant Counsel  
Division of Legal Counsel

DATED: July 3, 2014

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

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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**Knox Farm, LLC-Roanoke** )  
**(Property Identification Number** ) **PCB 015-**  
**03-11-300-009)** ) **(Tax Certification**  
 ) **Water)**

**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*  
Vera Herst  
Assistant Counsel  
Division of Legal Counsel

DATED: July 3, 2014  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
(217)782-5544

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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>Knox Farm, LLC-Roanoke</b>	)
<b>(Property Identification Number</b>	) <b>PCB 015-</b>
<b>03-11-300-009)</b>	) <b>(Tax Certification</b>
	) <b>Water)</b>
	)

**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 November 21, 2013, the Illinois EPA received a request from Knox farm, LLC (log number TC-22-13, 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:	Knox Farm, LLC
	2797 Knox Road 1600E
	Roanoke, Illinois 61561

3. The proposed water pollution control facilities in this request are located at Section 11, T13N, R3E of 4th PM in Knox County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure storage pit (201 ft. x 101 ft. x 8 ft. deep) with slatted floors over the pit.

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 (2012), defines "pollution control facilities" as:

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“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.

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WHEREFORE, the Illinois EPA recommends that the Board issue the requested tax certification.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: Vera Herst  
Vera Herst  
Assistant Counsel  
Division of Legal Counsel

Dated: July 3, 2014  
Illinois Environmental Protection Agency  
1021 North Grand Ave. E.  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544

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## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217)782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

# Memorandum

To: Chuck Gunnarson, Division of Legal Counsel

From: Al Keller, P.E., Manager, Permit Section

A handwritten signature in black ink, appearing to read "Al Keller" with a flourish at the end.

Date: June 26, 2014

Re: Knox Farm, LLC - Roanoke  
Recommendation of Tax Certification  
Log # TC-22-13  
Property Identification # 03-11-300-009

The Bureau of Water received a request on November 21, 2013 from Knox Farm LLC 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:

Knox Farms  
Attn: John J. Sauder  
506 N. Third Street  
P.O.Box 648  
Roanoke, Illinois 61561

Section 11, Township 13 North, Range 3 East of the 4th P.M – Knox County

Livestock waste management facilities consist of a 201' x 101' x 8' deep concrete manure storage pit with slatted floors over the pit.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application.

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 Jamie Cowles at 217/782-3362.

SAK:JMC:TC-22-13

cc: Tax Cert File

## Watershed Unit Tax Certification Review Sheet

---

Project Name: Knox Farms

Location: Knox

Reviewer: JMC

Date: January 15, 2013

Log number: TC-22-13

Type:  Agchem  
 Livestock

Applicant: John J Sauder  
506 N. Third Street  
P.O.Box 648  
Roanoke, Illinois 61561

Contact: John J Sauder

Phone: 309-923-7259

Facility:  
2797 Knox Road 1600E

Property ID: 03-11-300-009

Signature: : John J Sauder

Legal Description:  
S: 11 Twp: 13N R: 3E 4th PM:

Title: Designated Representative

Date Control Devices installed: 8/1/13

Provided Fair cash Value: \$550,000

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:

See attached description as well.

Livestock waste management facilities consist of a 200' x 102' x 8' deep concrete manure reception pit with slatted floors over pit.

The structures and collection systems are used to collect and dispose of animal waste properly and are considered pollution control systems.

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	
APPLICANT	Sec. A Company Name <b>KNOX FARM LLC</b>			
	Person Authorized to Receive Certification <b>JOHN J SAUDER</b>		Person to Contact for Additional Details <b>JOHN J. SAUDER</b>	
	Street Address <b>506 N. THIRD ST. P.O. BOX 648</b>		Street Address <b>506 N THIRD ST. P.O. BOX 648</b>	
	Municipality, State & Zip Code <b>ROANOKE, IL 61561</b>		Municipality, State & Zip Code <b>ROANOKE, IL 61561</b>	
	Telephone Number <b>309-923-7259</b>		Telephone Number <b>309-923-7259</b>	
	Location of Facility Quarter Section      Township      Range <b>11                      T.13N                      R.3E</b>		Municipality      Township <b>KNOX</b>	
	Street Address <b>2797 KNOX RD. 1600E</b>		County      Book Number <b>03-11-300-009</b>	
	Property Identification Number <b>LF0950240000</b>		Parcel Number	
	MANUFACTURING OPERATIONS	Sec. B Nature of Operations Conducted at the Above Location  <b>HOG FINISHING BARN</b>		
		Water Pollution Control Construction Permit No. <b>095-009-13</b>		Date Issued <b>4-12-2013</b>
NPDES PERMIT No.		Date Issued      Expiration Date		
Air Pollution Control Construction Permit No.		Date Issued		
Air Pollution Control Operating Permit No.		Date Issued		
MANUFACTURING PROCESS	Sec. C Describe Unit Process <i>Started flooring over 101' x 201' x 8' deep poured concrete manure pit. Walls are poured 8" thick reinforced concrete. Built to 10' height of 22' speed. Pits are ventilated and hold approx. 12 months of waste. Pits have pump out stations, where waste is removed yearly and applied to surrounding fields at recommended rates.</i>			
	Materials Used in Process			
POLLUTION CONTROL FACILITY DESCRIPTION	Sec. D Describe Pollution Abatement Control Facility			

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 NOV 21 2013  
 IEPA  
 BOWWPC/PERMIT SECTION

Sec. E	(1) Nature of Contaminants or Pollutants		
		Material Retained, Captured or Recovered	
CONTAMINANTS	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	<i>Swine manure</i>	<i>Slurry</i>	<i>Crop manure</i>

POLLUTION CONTROL FACILITY - ACCOUNTING DATA	(2) Point(s) of Waste Water Discharge <i>None</i>		
	Plans and Specifications Attached		
		Yes	No
	(3) Are contaminants (or residues) collected by the control facility?	Yes <input checked="" type="checkbox"/>	No
	(4) Date installation completed <i>8/1/13</i> status of installation on date of application <i>EMPTY</i>		
	(5) a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ <i>550,000.</i>	
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ <i>0</i>	
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ <i>96,000</i>	
d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ <i>48,000</i>		
e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% <i>50%</i>		

Sec. F 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.

SIGNATURE *John J. Sauder* Title *Partner*

Signature Title

INSTRUCTIONS	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.		
	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 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 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



**Bureau of Environmental Programs**

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882  
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

**LIVESTOCK WASTE PROGRAM  
INITIAL NOTICE OF CONSTRUCTION PLAN COMPLETENESS  
Non-Lagoon Livestock Waste Handling Facility**

**Registrant:**  
Knox Farm  
PO Box 753  
Roanoke, IL 61561

**Facility Location:**  
Altona  
  
**Facility ID#**  
LF0950240000

**Date Issued:** December 5, 2012

A Notice of Non-Lagoon Construction Plan Completeness is hereby granted to the above-designated registrant to construct a single livestock waste handling facility *as stated in the construction plan application submitted to the Department as follows:*

Construction of a single livestock waste handling facility that shall have the following dimensions:

Maximum Length =	200 feet
Maximum Width =	102 feet
Maximum Depth =	8 feet
Design Capacity =	158,000 ft <sup>3</sup>

*Pursuant to 35 Illinois Administrative Code 506.304 (c), this structure shall include a perimeter foundation drain, which must include a sampling port to allow for quarterly sampling pursuant to 8 Illinois Administrative Code 900.511.*

The construction plan for the aforementioned structure has been reviewed and deemed complete by the Illinois Department of Agriculture pursuant to the Livestock Management Facilities Act (Act), 510 Illinois Compiled Statutes 77/13.

Pursuant to 510 ILCS 77/13(g), an initial site inspection was conducted by a representative of the Department on November 7, 2012.

Please be advised that, pursuant to the Act and rule, the Department shall make additional site inspections during the construction and post-construction phase and shall require modifications when necessary to ensure the project shall be in compliance with the requirements of the regulation. **Please notify the Department at least 5 days prior to the commencement of construction.**

Further, pursuant to 510 ILCS 77/13(f), upon completion of construction but prior to the placing of the structure in service, the owner or operator shall certify to the Department that the structure has been



**Illinois**  
Department of  
**Agriculture**

Pat Quinn, Governor  
Robert F. Flider, Acting Director

**Bureau of Environmental Programs**

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882  
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

ALTERNATIVE DESIGN

November 16, 2012

Knox Farm  
PO Box 753  
Roanoke, IL 61561

**RE: LF0950240000**

Dear Applicant:

The Department is in receipt of your request for an alternative design concerning Knox Farm (See Attached). As required, the request did contain a certification from a Licensed Professional Engineer that the grant of the modification is at least as protective of the groundwater, surface water and the structural integrity of the livestock waste management facility as the stated requirements or that the alternative or waiver is at least as protective as the stated requirements.

Please consider this letter as your written notification that the alternative design request(s) has been granted pursuant to 35 Illinois Administrative Code 506.106. If you have any questions or if the Department may be of service to you, please contact us at 217-785-2427.

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE

A handwritten signature in black ink that reads "Warren D. Goetsch".

Warren D. Goetsch, P.E.  
Bureau Chief, Environmental Programs

cc: file  
LF095024Alternative design



Frank & West  
Environmental Engineers, Inc.

PROFESSIONAL ENGINEER CERTIFICATION FORM

for

ALTERNATIVE DESIGN

I certify that the design of the proposed facility structure's support columns, including the location and placement of the connection dowels to the structure floor, is at least as protective of the groundwater, surface water, and the structural integrity of the livestock waste management facility as the stated requirements of the *Livestock Management Facilities Act* and MidWest Plan Service (MWPS-36) *Concrete Manure Storages Handbook*.

Professional Engineer

P.E. Seal

Name: Chris J. West

Firm: Frank & West, Inc.

Address: 7226 N. State Rt. 29

Springfield, IL 62707

Phone: (217) 487-7686

IL Registration No.: 062-57229

License Exp. Date: 11/30/2013

Signature: *Chris J. West*

Date: October 22, 2012



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DEPT. OF AGRICULTURE  
DIVISION OF CONSTRUCTION



Frank & West  
Environmental Engineers, Inc.

PROFESSIONAL ENGINEER CERTIFICATION FORM

for

ALTERNATIVE DESIGN OF PRECAST CONCRETE BEAMS

I certify that the design of the precast concrete beams manufactured by Custom Precast Company for the Knox Farm facility, including reinforcement placement as detailed in the attached Frank & West Environmental Engineers, Inc. drawing (drawing # 01-12107), is at least as protective of the groundwater, surface water, and the structural integrity of the livestock waste management facility as the stated requirements of the *Livestock Management Facilities Act* and MidWest Plan Service (MWPS-36) *Concrete Manure Storages Handbook*.

Professional Engineer

P.E. Seal

Name: Chris J. West

Firm: Frank & West  
Environmental Engineers, Inc.

Address: 7226 N. State Rt. 29  
Springfield, IL 62707

Phone: (217) 487-7686

IL Registration No.: 062-57229

License Exp. Date: 11/30/2013

Signature: *Chris J. West*

Date: October 22, 2012



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Dept. of Agriculture  
Livestock Waste Program



**Frank & West**  
Environmental Engineers, Inc.

**PROFESSIONAL ENGINEER CERTIFICATION FORM**

for

**ALTERNATIVE DESIGN OF PRECAST CONCRETE SLATS**

I certify that the design of the precast concrete slats manufactured by Custom Precast Company for the Knox Farm facility, including reinforcement placement as detailed in the attached Frank & West Environmental Engineers, Inc. drawing (drawing # 01-12101), is at least as protective of the groundwater, surface water, and the structural integrity of the livestock waste management facility as the stated requirements of the *Livestock Management Facilities Act* and MidWest Plan Service (MWPS-36) *Concrete Manure Storages Handbook*.

**Professional Engineer**

**P.E. Seal**

Name: Chris J. West

Firm: Frank & West  
Environmental Engineers, Inc.

Address: 7226 N. State Rt. 29  
Springfield, IL 62707

Phone: (217) 487-7686

IL Registration No.: 062-57229

License Exp. Date: 11/30/2013

Signature: 

Date: October 22, 2012



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OCT 23 2012

Dept. of Agriculture  
Livestock Waste Program

STATE OF ILLINOIS

COUNTY OF SANGAMON

)  
)  
)  
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)

**PROOF OF SERVICE**

I, the undersigned attorney at law, hereby certify that on July 3, 2014, I served true and correct copies of an **APPEARANCE AND THE RECOMMENDATION**, upon the persons and by the methods as follows:

**[1<sup>st</sup> Class U.S. Mail]**

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

**[1<sup>st</sup> Class U.S. Mail]**

John J. Sauder  
506 N. Third St.  
P.O. Box 648  
Roanoke, Illinois 61561

**[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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