

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Conserv FS, Inc. )  
(Property Identification Number ) PCB No. 23-  
14-16-401-008 ) (Tax Certification)  
)

**NOTICE**

**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, copies of which are herewith served upon you.


Attn: David Swigart  
Conserv FS, Inc.  
1110 McConnel Road  
Woodstock, Illinois 60098

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

**Copies also provided electronically as follows:**

Illinois Department of Revenue  
via email at REV.PropTaxApp@illinois.gov  
101 West Jefferson  
P.O. Box 19033  
Springfield, Illinois 62794

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By:   
Joshua Leopold  
Assistant Counsel  
Division of Legal Counsel

DATED: September 27, 2023

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**

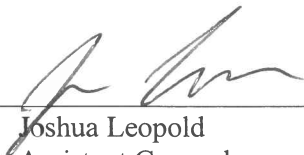
**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Conserv FS, Inc. )  
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)

**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:   
Joshua Leopold  
Assistant Counsel  
Division of Legal Counsel

DATED: September 27, 2023

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Conserv FS, Inc. )  
(Property Identification Number ) PCB No. 23-  
14-16-401-008 ) (Tax Certification)  
)

**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 December 12, 2022, and revised September 20, 2020, the Illinois EPA received a request from Conserv FS, Inc (Log number TC-147349, 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: Conserv FS, Inc  
450 W. Adams  
Waterman, Illinois 60556

The proposed water pollution control facilities in this request are located in the SE 1/4 of of Section 16, Township 38-North, Range 4-East of the East 3rd PM in DeKalb County, at the above street address and consist of the following agrichemical containment structures:

A concrete liquid agrichemical operational containment structure [OC-1] measuring approximately 80 ft. (length) x 28 ft. (width) x 0.33 ft. (height) and the portion of the building over this operational containment structure.

A concrete liquid agrichemical operational containment structure [OC-2] measuring approximately 86.33 ft. (length) x 57 ft. (width) x 0.33 ft. (height) and the portion of the building over this operational containment structure.

A concrete liquid agrichemical operational containment structure [OC-3] measuring approximately 62.67 ft. (length) x 31 ft. (width) x 0.33 ft. (height) and the portion of the building over this operational containment structure.

**THIS FILING SUBMITTED ON RECYCLED PAPER**

A concrete liquid agrichemical secondary containment structure [SC-1] measuring approximately 50 ft. (length) x 32 ft. (width) x 0.5 ft. (height) with additional area measuring approximately [SC-1] measuring approximately 28 ft. (length) x 27 ft. (width) x 0.5 ft. (height) and the portion of the building over this secondary containment structure.

A concrete liquid agrichemical secondary containment structure [SC-2] measuring approximately 80 ft. (length) x 50 ft. (width) x 0.5 ft. (height) and the portion of the building over this secondary containment structure.

A concrete liquid agrichemical secondary containment structure [SC-3] measuring approximately 69.33 ft. (length) x 28.5 ft. (width) x 0.83 ft. (height) and the portion of the building over this secondary containment structure.

A concrete liquid agrichemical secondary containment structure [SC-4] measuring approximately 58 ft. (length) x 44 ft. (width) x 3.5 ft. (height) and the portion of the building over this secondary containment structure.

A concrete bulk dry agrichemical operational containment structure for loader operations measuring approximately 178 ft. (length) x 32 ft. (width) and the portion of the building over this operational containment structure.

A concrete bulk dry agrichemical operational containment structure for mixing, blending and loading operations measuring approximately 148 ft. (length) x 16 ft. (width) and the portion of the building over this operational containment structure.

A concrete bulk dry agrichemical operational containment structure for transportation and application equipment loading operations measuring approximately 120 ft. (length) x 24.5 ft. (width) and the portion of the building over this operational containment structure.

A concrete bulk dry agrichemical operational containment structure for tractor trailer unloading operations measuring approximately 60 ft. (length) x 24 ft. (width) and the portion of the building over this operational containment structure.

A concrete bulk dry agrichemical secondary containment structure measuring approximately 178 ft. (length) x 70 ft. (width) and the portion of the building over this secondary containment structure.

These agrichemical facilities collect, store, or prevent the comingling of precipitation with agrichemical rinsates, residues, or washwaters prior to reuse or disposal as approved under the Agency endorsed Agrichemical Facility Permit No. 92101687 (Log No. 21033347 issued on December 9, 2022) and prevent stormwater runoff from agrichemical affected areas.

3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2022), 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 (2022), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2022) 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:   
Joshua Leopold  
Assistant Counsel  
Division of Legal Counsel

Dated: September 27, 2023

**THIS FILING SUBMITTED ON RECYCLED PAPER**

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

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

### Memorandum

To: Mike Roubitchek, Division of Legal Counsel

From: Darin E. LeCrone, P.E., Manager, Permit Section, Division of Water Pollution Control, Illinois Environmental Protection Agency *DEL*

Date: **AUG 29 2023**

Re: Conserv FS, Inc. - Waterman  
Recommendation of Tax Certification  
Log No.: TC-147349  
BOW ID No.: W0378010002  
Property Index Number: 14-16-401-008

The Bureau of Water received a request on December 12, 2022 from Conserv FS, Inc., having a principal place of business at 1110 McConnell Road, Woodstock, IL 60098, 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:

Conserv FS, Inc.  
450 W. Adams  
Waterman, IL 60556

SE 1/4 of of Section 16, Township 38-North, Range 4-East of the East 3rd PM in DeKalb County.

Agrichemical containment facilities consisting of:

A concrete liquid agrichemical operational containment structure [OC-1] measuring approximately 80 ft. (length) x 28 ft. (width) x 0.33 ft. (height) and the portion of the building over this operational containment structure.

A concrete liquid agrichemical operational containment structure [OC-2] measuring approximately 86.33 ft. (length) x 57 ft. (width) x 0.33 ft. (height) and the portion of the building over this operational containment structure.

A concrete liquid agrichemical operational containment structure [OC-3] measuring approximately 62.67 ft. (length) x 31 ft. (width) x 0.33 ft. (height) and the portion of the building over this operational containment structure.

A concrete liquid agrichemical secondary containment structure [SC-1] measuring approximately 50 ft. (length) x 32 ft. (width) x 0.5 ft. (height) with additional area measuring approximately 28 ft. (length) x 27 ft. (width) x 0.5 ft. (height) and the portion of the building over this secondary containment structure.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120  
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993 7200  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

Page No. 2

Tax Certification Recommendation

Log No. TC-147349

A concrete liquid agrichemical secondary containment structure [SC-2] measuring approximately 80 ft. (length) x 50 ft. (width) x 0.5 ft. (height) and the portion of the building over this secondary containment structure.

A concrete liquid agrichemical secondary containment structure [SC-3] measuring approximately 69.33 ft. (length) x 28.5 ft. (width) x 0.83 ft. (height) and the portion of the building over this secondary containment structure.

A concrete liquid agrichemical secondary containment structure [SC-4] measuring approximately 58 ft. (length) x 44 ft. (width) x 3.5 ft. (height) and the portion of the building over this secondary containment structure.

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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 Darren Gove at 217/782-0610.

DRG:TC-147349\_Tax Cert Recommendation\_12Dec22.docx

cc: Tax Cert File



D. LeCrone



# Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

TC-147349

RECEIVED  
DEC 12 2022  
IEPA  
WPC/PERMIT SECTION

## Application for Certification (Property Tax Treatment) Pollution Control Facility

For Agency Use Only	
File Number: <u>TC-147349</u>	Date Rec'd: <u>12-12-22</u>
Certification Number: _____	Date: _____

Facility Type (check one):  Air  Water

This form is to be used for any application for certification of property tax treatment for a pollution control facility for air or water from the Illinois EPA. Separate applications must be completed for each pollution control facility claimed. Send the application only to the appropriate address listed below. Do not mix types (air and water). Where both air and water operations are related, send applications to each of the addresses.

If attachments are needed, record them consecutively on an index sheet.

**Note:** This form should be completed within Acrobat before being saved, printed, signed, and submitted.

**Air:** Illinois EPA  
 Attention: William D. Marr, Permit Section  
 Bureau of Air  
 1021 North Grand Avenue East, P.O. Box 19276  
 Springfield, IL 62794-9276

**Water:** Illinois EPA  
 Attention: Darin LeCrone, Permit Section  
 Bureau of Water  
 1021 North Grand Avenue East, P.O. Box 19276  
 Springfield, IL 62794-9276

### I. Applicant Information

Company Name: Conserv FS, Inc.

Person Authorized to Receive Certification	Person to Contact for Additional Information
Name: <u>David Swigart</u>	Name: <u>Same</u>
Street Addr: <u>1110 McConnell Rd</u>	Street Addr: _____
City: <u>Woodstock</u> State: <u>IL</u>	City: _____ State: _____
ZIP: <u>60098</u> Phone: <u>217-248-5930</u>	ZIP: _____ Phone: _____
Email: <u>dswigart@conservfs.com</u>	Email: _____

### II. Facility Information

Facility Location: Quarter Section: SE QTR 16 Township: 38N Range: 4E  
 Municipality: Waterman Township: Clinton

Note: A plat map location is requested for facilities located outside of municipal boundaries.

Address: 450 W. Adams City: Waterman  
 State: IL Zip Code: 60556 County: DeKalb  Book Number: \_\_\_\_\_

Property Index Number: 14-16-401-008 Note: The Property Index Number is the numerical reference used to identify a parcel of real property for assessment and taxation purposes.

### Manufacturing Operations Information

Nature of Operations Conducted at the Above Location

<u>Loading, unloading and storage of liquid and dry fertilizer and agrichemicals</u>
--

### Permit Information

WPC Construction Permit Number: AC92101687 Draft Date Issued: 10/31/2022  
 NPDES Permit Number: \_\_\_\_\_ Date Issued: \_\_\_\_\_ Exp. Date: \_\_\_\_\_  
 APC Construction Permit Number: \_\_\_\_\_ Date Issued: \_\_\_\_\_  
 APC Operating Permit Number: \_\_\_\_\_ Date Issued: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Note: Submit copies of all relevant permits issued by local pollution control agencies (e.g. MSD Construction Permit).

This Agency is authorized to request this information under 415 ILCS 5/4(b)(2012). Disclosure of this information is voluntary and no penalties will result from the failure to provide the information. However, the absence of the information could prevent your application from being processed or could result in denial of your application.

**Manufacturing Process Information**

Please provide information on the manufacturing process and materials on which pollution control facility is used, including each major piece of equipment associated with the pollution control facility (or low sulfur dioxide emission coal fueled device).

**Description of the Process**

Not Applicable

**Materials Used in the Process**

Not Applicable

**Pollution Control Facility Information**

Please provide a narrative description of the pollution control facility (or low sulfur dioxide emission coal fueled device), and an explanation of why its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility, as well as a narrative description and a process flow diagram describing the pollution control facility. Include an average analysis of the influent and effluent of the control facility stating the collection efficiency, if applicable.

Describe the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device).

See Attached addendum

Describe the Primary Purpose of the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device).

The operational containment areas are designed to eliminate, prevent or reduce surface runoff of agrichemicals and fertilizer by covering exposed operational areas to prevent exterior elements from coming in contact with residue that spills during normal operations of handling agriculture fertilizers and chemicals from storage to field applicators.

Secondary operational containment areas prevent stored agrichemicals and fertilizer from entering ground water.

Identify the statute or regulation (federal or state), or local ordinance, if any, requiring the installation of the subject pollution control facility (or low sulfur dioxide emission coal fueled device).

Title 8 IL Administrative Code Chapter I: Sub Chapter i: Pesticide Control: Part 255 Agrichemical Facilities

**Nature of Contaminants or Pollutants**

List air contaminants or water pollution substances released as effluents to the manufacturing processes. Also list the final disposal of any contaminants removed from the manufacturing processes.

Material Retained, Captured or Recovered		
Contaminant or Pollutant	Description	Disposal or Use
Agrichemicals	Spilled Products	Reduce, Recycle, Reuse
Liquid Fertilizer	Spilled Products	Reduce, Recycle, Reuse
Dry Fertilizer	Spilled Product	Reduce, Recycle, Reuse

Note: Contaminant or pollutant means that which is removed from the process by the pollution control facility.

**Point(s) of Waste Water Discharge**

Identify the location of the discharge to the receiving stream. This will typically refer to a source of water pollution but can include water-carried wastes from air pollution control facilities.

Plans and Specifications Attached:  Yes  No

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.

**Are contaminants (or residues) collected by the control facility?**  Yes  No

Note: If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value dollars reclaimed by the sale or reuse of the collected substances. State the cost of reclamation and related expense.

**Project Status**

Date Installation Completed: March, 2022

Provide the date the pollution control facility was first placed into service and operated. If not, explain.

Dry Fertilizer Facility October, 2021  
 Liquid Fertilizer and Chemical Facility March, 2022

Status of installation on date of application

Operational

**III. Verification and 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.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

For incorporated entities, signature should be from an authorized corporate representative.

David Swigart

Printed Name

CEO & General Manager

Title

David Swigart

Signature

12/09/2022

Date

## Document Index

### Conserv FS, Inc. Application for Certification (Waterman Facility)

- 1) Application (3 pages)
- 2) Application Index (1 page)
- 3) Addendum to Application (2 pages)
- 4) Exhibit A – Liquid Fertilizer / Agrichemical Operational Containment Areas (9 pages)
- 5) Exhibit B – Liquid Fertilizer / Agrichemical Secondary Containment Areas (6 pages)
- 6) Exhibit C - Dry Fertilizer Operational and Secondary Containment areas (7 pages)
- 7) Agrichemical Draft Facility Permit # 92101687 – Waterman Facility (3 pages)

# Exhibit A

Liquid Fertilizer / Agrichemical Operational Containment Areas

**Addendum:**

**Pollution Control Facility Information:**

**Liquid Fertilizer/Agrichemical Facility:**

Agrichemical containment structures consisting of:

1) Three operational area containment structures (See building floor diagram details in Exhibit A)

The three operational containment structures outlined in **Figure 1** that are included in this certification application are shown as OC-1, OC-2 and OC-3. Two of the three containment structures, (OC-2 and OC-3) included in this certification application, are called out and described in the Draft Agrichemical Facility Permit Modification Permit# AC92101687 issued October 31, 2022. OC-1 also qualifies as an operational containment area under 8 Illinois Administrative Code, Title 8: Chapter I: Subchapter i: Part 255: Section: 255.90

**Note:** Another operational area described as OC-3 on the Draft permit AC92101687 is not a structure that is included in this certification application. As noted on the draft permit it is a structure previously permitted on permit #AC95043656. This described OC-3 should not be considered in this certification application.

- a. Concrete Operational Containment Structure (COCS) OC-2 **Figure 1:** 57' x 86.33' x .33' and the portion of the building over the containment structure which prevents rain water from washing off COCS thereby maintaining the integrity of the collection device as approved under the Agency endorsed Agrichemical Facility permit.
- b. Concrete Operational Containment Structure OC 3 **Figure 1:** 31' x 62.67' x .33' and the portion of the building over the containment structure which prevents rain water from washing off COCS thereby maintaining the integrity of the collection device as approved under the Agency endorsed Agrichemical Facility permit.
- c. Concrete Operational Containment Structure OC-1 **Figure 1:** 28' x 80' x .33' and the portion of the building over the containment structure which prevents rain water from washing off of COCS thereby maintaining the integrity of the collection device as approved under the Agency endorsed Agrichemical Facility permit.

2) Four secondary containment Structures (CSCS) (See building floor diagram details in Exhibit B)

The four secondary containment structures that are included in this certification application are outlined in **Figure 2** as SC-1, SC-2, SC-3, and SC-4. Two of the four secondary containment structures, SC-3 and SC-4, are called out in the Draft Agrichemical Facility Permit Modification Permit# AC92101687 issued October 31, 2022. SC-1, and SC 2 also qualify as secondary containment structures under 8 Illinois Administrative Code, Title 8: Chapter I: Subchapter i: Part 255: Section: 255.80.

- a. Concrete Secondary Containment Structure **SC-3 Figure 2**: 28'5" x 69'4" x 10"
- b. Concrete Secondary Containment Structure (**SC-4 Figure 2**): 44' x 58' x 3'6"
- c. Concrete Secondary Containment Structure **SC-1 Figure 2**: (50' x 32' x 6") + (27' x 28' x 6")
- d. Concrete Secondary Containment Structure **SC-2 Figure 2**: 50' x 80' x 6" deep

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**Dry Fertilizer/Agrichemical Facility:**

Agrichemical containment structures consisting of:

1) Two operational area containment structures (See details in Exhibit C)

- a. Concrete Operational Containment Structure (COCS): (**OC-1 Figure 3**)  
178' x 32' – Loader Operations  
16' x 148' mixing, blending and loading of dry fertilizer into field applicators  
24.5' x 120' loading of bulk dry fertilizer transportation and application equipment.  
The portion of the building over containment structures which prevents rain water from washing off the COCS, and also prevents wind from blowing fertilizer and chemical dust while keeping the dust mostly confined to the building interior thereby maintaining the integrity of the collection device as approved under the Agency endorsed Draft Agrichemical Facility Permit #AC92101687.
- b. Concrete Operational Containment Structure (COCS): (**OC-2 Figure 3**)  
60' x 24' – Tractor trailer unloading of dry fertilizer modified from 28' x 24' as stated in the Draft Permit #AC92101687; the portion of the building over containment structure which prevents rain water from washing off the COCS, and also prevents wind from blowing fertilizer dust while keeping the dust mostly confined to the building interior thereby maintaining the integrity of the collection device as approved under the Agency endorsed Agrichemical Facility permit.

2) One Secondary Containment Structure (See details in Exhibit C)

- a. Concrete Secondary Containment Structure (CSCS): (**SC-1 Figure 3**)  
70' x 178' concrete dry fertilizer storage containment area

**Liquid Fertilizer and Chemical Operational Containment Areas**

**Figure 1**

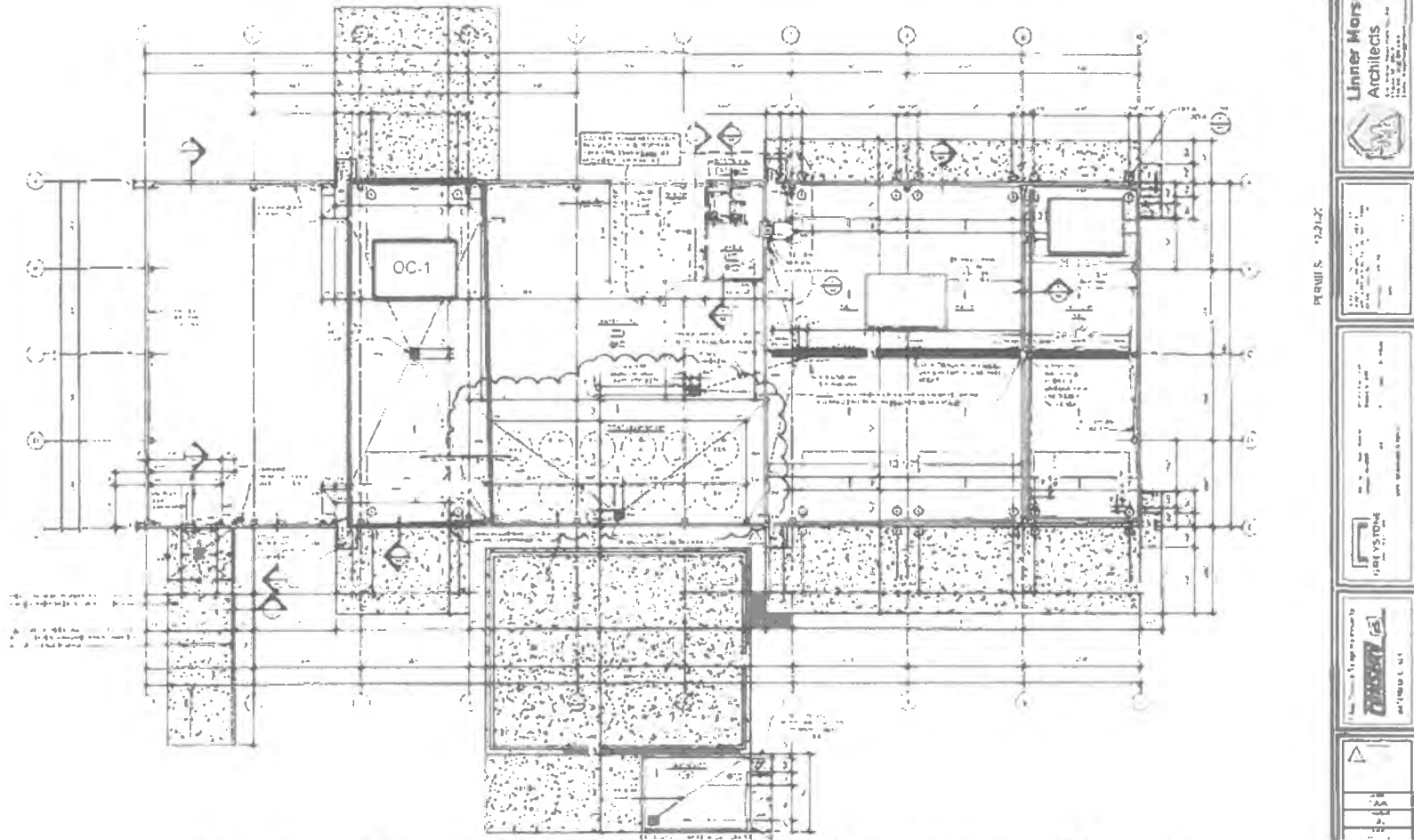


Figure 1 shows the Liquid Fertilizer and Agrichemical Operational Areas of Building OC-2 and OC-3 designations match up with the Draft Version of Permit # AC92101687). OC-1 is not called out on the Draft Permit.



**Liquid Fertilizer and Chemical Containment:**



**East Side of Liquid Fertilizer and Chemical Building**

The overhead Door on left is OC-3 described on the following pages.

The closed and open overhead doors to the right of OC-3 both access OC-2.

The Overhead door on the far right is another operational area labeled OC-1.



**West Side of Liquid Fertilizer and Chemical Building**

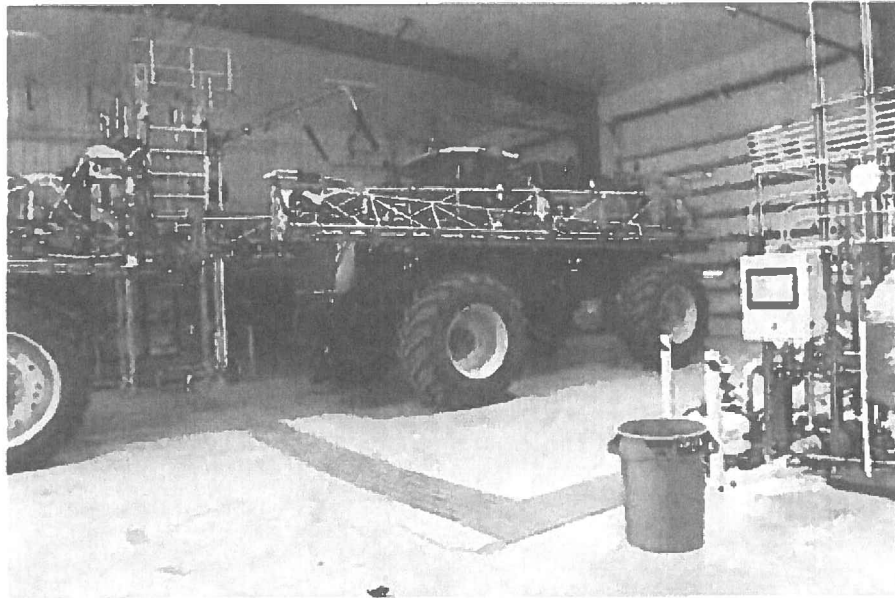
Door on Right is DC-3 the two Left doors are DC-2

This view is aligned with the Figure 1 floor diagram.

OC-2 Operational Area

Approximately 57' x 86.3' x .33' Denoted in Orange Outline in Figure 1

This operational area is a double bay 57' wide and running the width of the building where the loading, unloading and washing of field application and support vehicles is performed. The containment area has a total storage volume of 5,878 gallons.

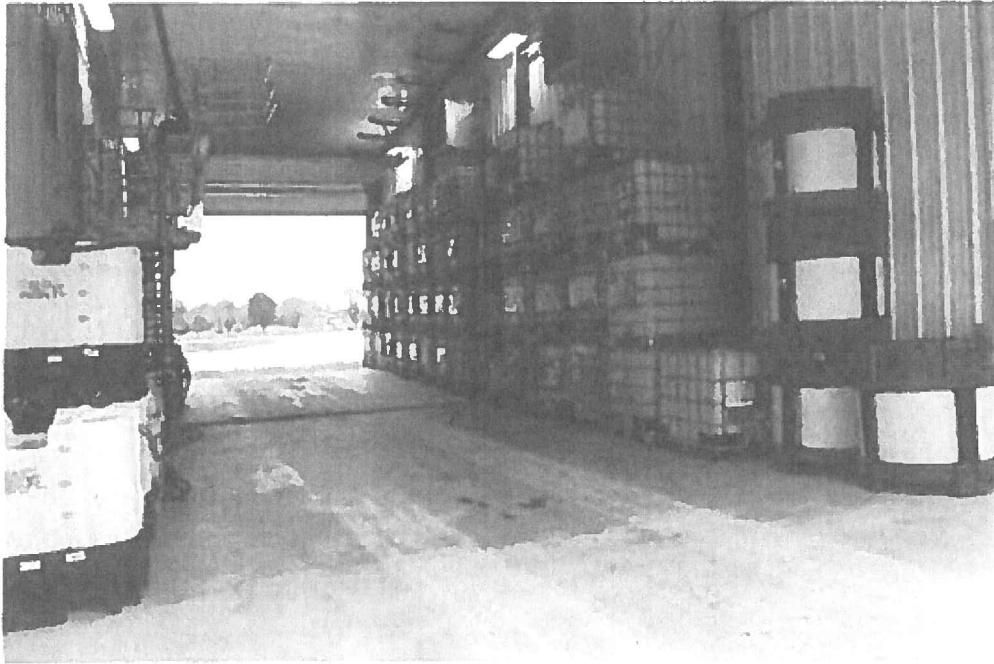


Inside Building Views of the Two Bays of OC 2 Where Field Applicators and Transportation Vehicles are Loaded, Unloaded and Washed

OC-3 Operational Area

Approximately 31' x 62.67' x .33' depicted in Green Outline in Figure 1

This operational containment area is a closed off bay of the building and is for the purpose of loading and unloading tractor trailer liquid transport vehicles and application equipment. This containment area can also be used for the storing of reusable mini-bulk containers.



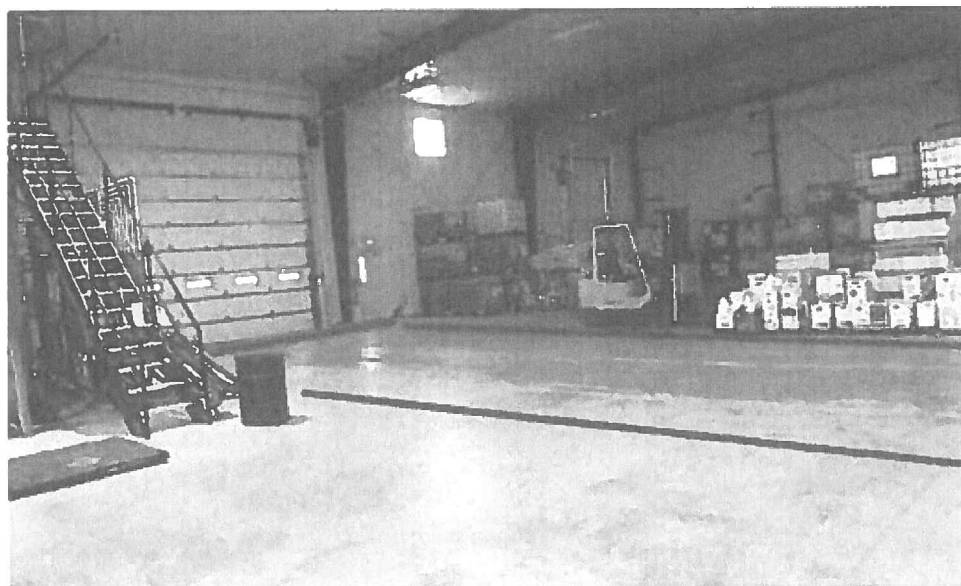
View through the width of the building of OC-3

OC-1 Operational Area

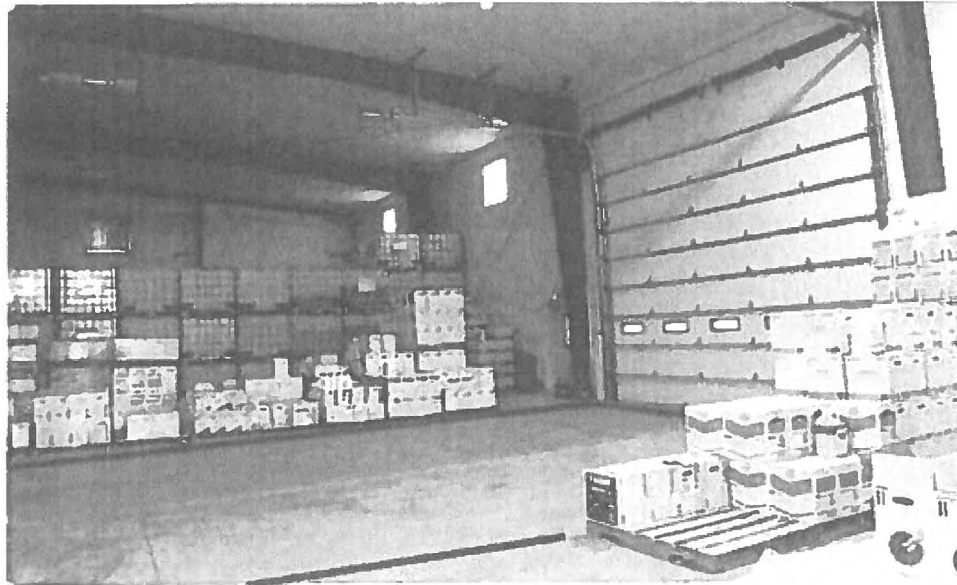
This area is approximately 28' x 80' and is shown in the blue outline in Figure 1 and in the following two photographs.

This operational containment area is not called out on the DRAFT Agrichemical Facility Permit # AC92202687 but qualifies for certification under 8 Illinois Administrative Code, Title 8: Chapter I: Subchapter i: Part 255: Section: 255.90. "... All transfer of agrichemicals between containers, including loading, unloading, repackaging, and mixing, and equipment cleaning performed at an agrichemical facility or non-commercial agrichemical facility, shall be done with a containment system designed to intercept, retain, and recover operational and accidental spillage, leakage, wash water, and agrichemical residues. ...".

This operational containment area is a truck bay 28' wide that runs lengthwise within the 80' width of the building. The Operational containment area's designated use is for the repackaging of reusable mini-bulk pesticide containers. The sloped containment area is outlined in blue on the following two pictures. It has a 2' x 2' x 2' collection sump in the center of the containment.

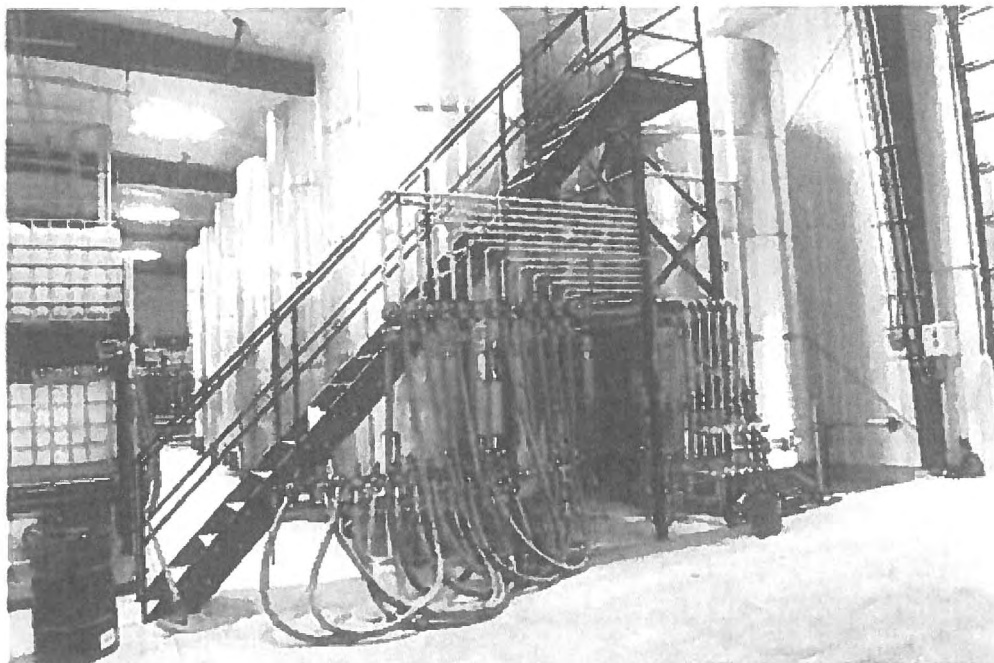


Left side of OC-1



Right side of OC-1

Used mini-bulk containers are emptied, cleaned and rinsed in this operational area (OC-1) prior to refilling. The containers are then refilled from the agrichemical storage tanks pictured below. The repackaging of agrichemicals must be performed on an operational containment structure.



Mini-bulk containers are filled from one of the green metered hoses that lead from one of the twelve bulk chemical storage tanks pictured above. This repackaging operation is performed on the concrete operational containment structure OC-1 located in the foreground and described above. After repackaging the mini-bulk containers will be stored in either OC-1 or OC-3 operational areas until customer pickup.

The containment area of OC-1 slopes to a central self-contained stainless steel sump.

Operational containment areas as described in 255.90 of the Agrichemical Facilities Administrative Code have been historically recognized and approved by the Illinois EPA as certified pollution control facilities. In prior endorsements the concrete portion of the operational containment and the building covering the operational containment have been included in the certifications.

**Conclusions:**

It is therefore concluded that OC-1, OC-2, and OC-3 operational areas do qualify for certification as pollution control facilities.

The square foot areas of the operational containment structures of the subject agrichemical building are:

OC-2 – 4,921 sq. ft. (57' x 86.33')

OC-3 - 2,100 sq. ft. (30' x 70')

OC-1 – 2,240 sq. ft. (28' x 80')

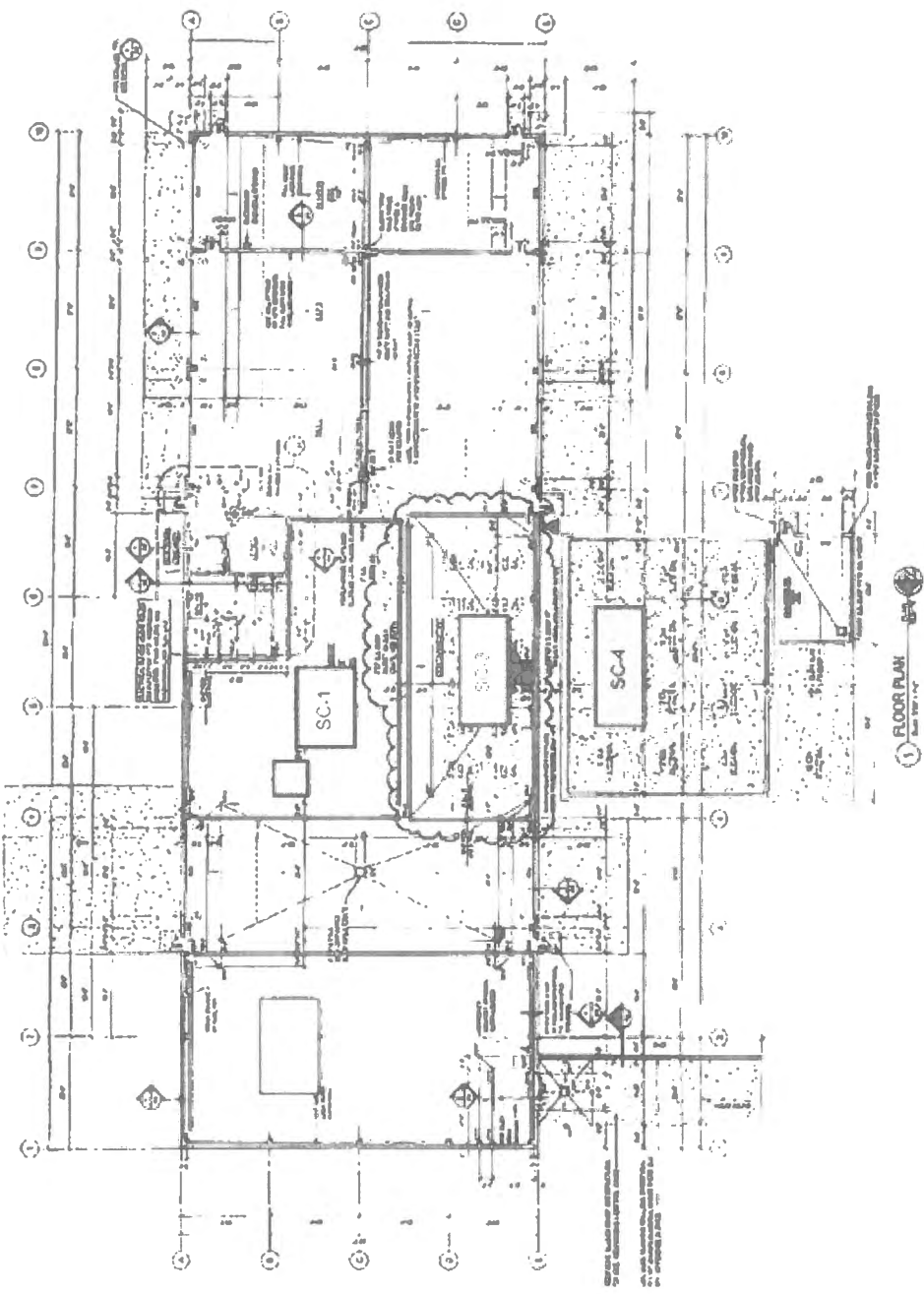
Total 9,261 sq. ft.

# Exhibit B

Liquid Fertilizer / Agrichemical Secondary Containment Areas



Secondary Containment Areas Figure 2



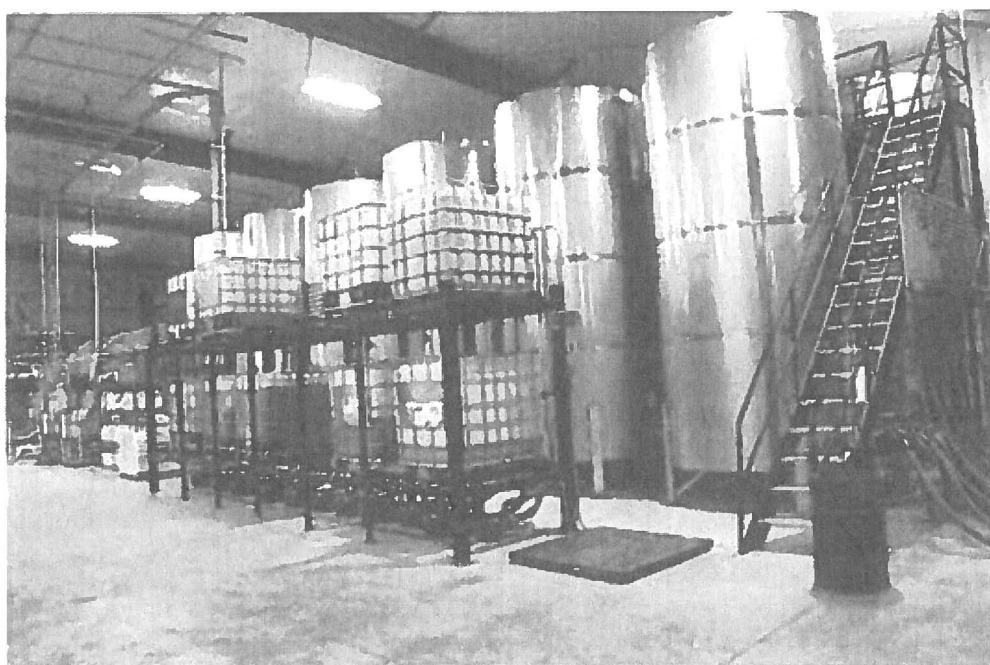
**Secondary Containment Areas (SC-1; SC-2; SC-3; SC-4)**

Two of concrete secondary containment structures providing containment protection around fertilizer and agrichemical tanks are identified as SC-3 and SC-4 in Figure 2 are "called out" in the Draft Agrichemical Facility Permit Modification issued on October 31, 2022. SC-1 and SC-2 are not "called out" in the above Draft Agrichemical Facility Permit however strong evidence suggests these two concrete containment areas situated within the agrichemical building structure also qualify for certification as pollution control facilities.

**SC-3 Secondary Containment Area (outlined in red) in Figure 2**

Approximately 28.5' Wide x 69.33' long x .83' deep

This concrete secondary containment is located inside the agrichemical building. The containment area contains twelve 6,100 gallon (94" diameter cone-bottom, stainless steel tanks elevated on 24" legs.



**SC-3 Containment area with 12 - 6,100 Gallon Chemical Tanks**

Section 255.80 of the Agrichemical Facilities Administrative Code pertains to secondary Containment.

Paragraph a) States: "All agrichemical non-mobile storage containers for liquid pesticides and liquid fertilizer shall be located within a secondary containment structure."

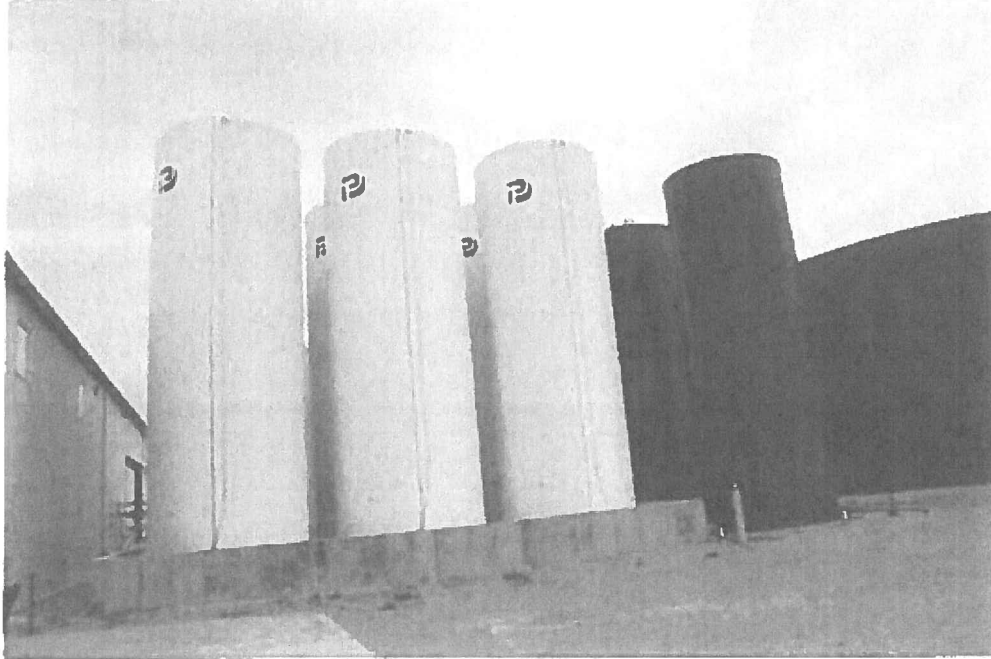
255.80 paragraph b) 1 describes the containment specifications when the containment is located outside and not protected from receiving precipitation. Paragraph b) 2 describes the containment specifications when the containment is located inside and is protected from receiving precipitation.

SC-3 is located within the agrichemical building and is subject to the requirements of paragraph b) 2):

"When protected from receiving precipitation, the containment shall have a minimum containment volume of 100% of the capacity of the largest tank, plus the volume displaced by the bases of the other tanks located within the secondary containment structure."

**SC-4 Secondary Containment Area (outlined in yellow) in Figure 2**

**Approximately 44' -0" Wide x 58' - 0" long x 3.5' Deep**



SC-4 is a secondary containment area surrounding six - 30,000 gallon fiberglass tanks and four - 20,000 gallon fiberglass tanks.

The two blue tanks on the right are water tanks and are outside of the Containment area.

SC-4 is an outside containment structure. Paragraph b) 1) states: "When not protected from receiving precipitation, the containment shall have a minimum containment volume of a 6-inch rain storm (a 25 year, 24 hour rain), the capacity of the largest tank, and the volume displaced by the bases of the other tanks located within the containment structure."

**SC-1 and SC-2 Secondary Containment Area shown in Blue and Green in Figure 2**

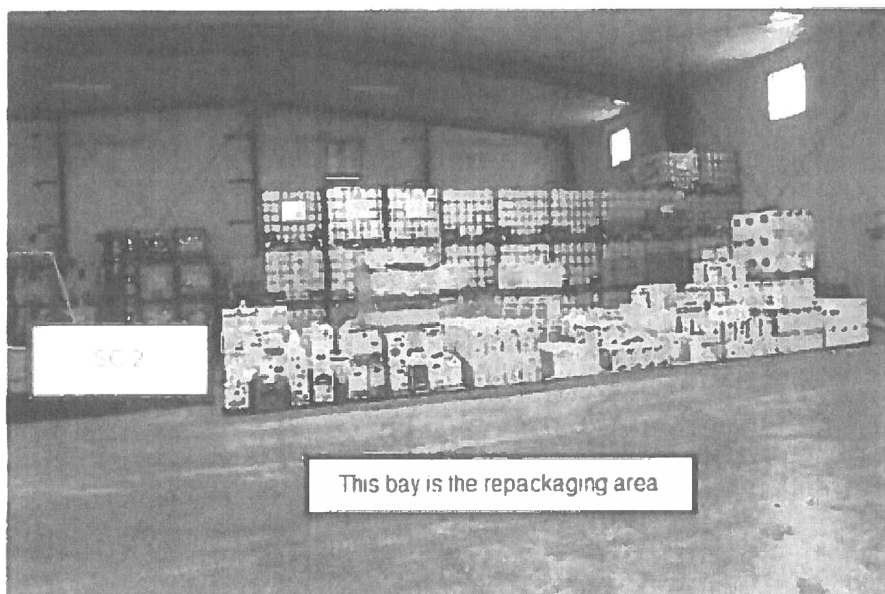
SC-1 and SC-2 are packaged goods concrete containment areas located within the agrichemical building warehouse. These two areas are designated as storage areas for packaged liquid, dry, and new mini-bulk agrichemicals. The two storage areas are contained by a 6" raised exterior foundation. The warehouse areas of SC-1 and SC-2 are further protected by collection sumps located in adjacent and previously described OC-2 and OC-3 operational containment areas.

**SC-1 Chemical Storage Warehouse area**



SC-1 measures approximately 50' long x 32' wide = 1,600 sq. feet; plus 28' long x 27' wide = 756 sq. ft. for a total of 2,356 sq. feet. OC-1 operational Containment area is in the foreground and OC-2 operational area is located in the background. Both adjacent operational containment areas have sump collection point capabilities for spilled product.

### SC-2 Chemical Storage Warehouse area



SC-2 secondary containment area measures approximately 50' wide x 80' long for a total of 4,000 sq. feet. SC-2 is outlined in green in Figure 2 and in the picture above.

OC-1 operational Containment area is in the foreground. The OC-1 adjacent operational containment area has a sump collection point for spilled product.

For the reasons detailed above it is shown that the packaged goods warehouse areas of SC-1 and SC-2 are fully contained and qualify for certification as pollution control devices.

#### **Conclusions:**

The square foot areas of the secondary containment structures of the subject agrichemical building are:

SC-1 - 1,600 sq. ft. (50' x 32')

SC-2 - 4,000 sq. ft. (50' x 80')

SC-3 - 1,976 sq. ft. (28.5' x 69.33')

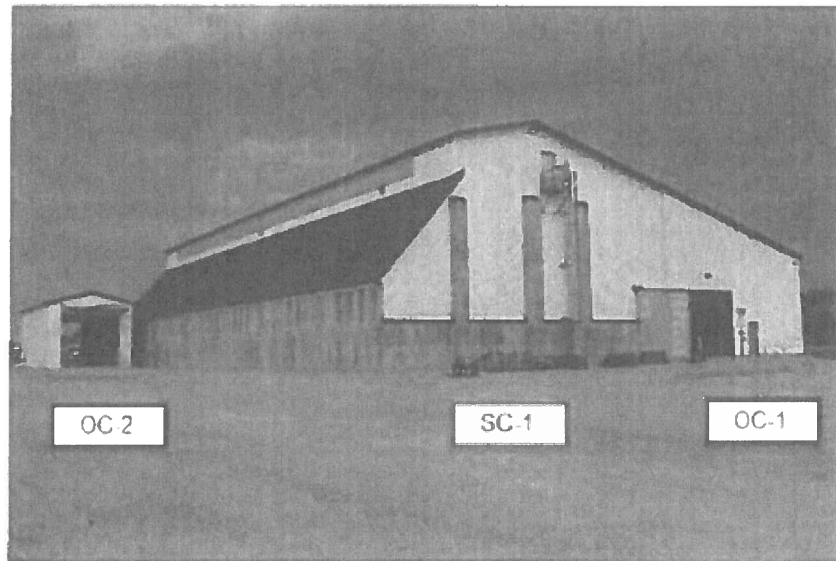
SC-4 - 2,552 sq. ft. (44' x 58')

**Total 10,128 sq. ft.**

# Exhibit C

Dry Fertilizer Operational and Secondary Containment Areas

**Dry Fertilizer Storage and Containment:**



**South and East Side of Dry Fertilizer building**

To the left of the dry fertilizer building is an associated operational containment building that is used for the purpose of unloading dry fertilizer from transport tractor trailers into the dry fertilizer storage area of the building.



**West and North Side of Dry Fertilizer Building**



East and North Side of Dry Fertilizer Building

**Operational Containment Areas:**

The left overhead door in the picture above leads into the front end loader operational area for moving dry fertilizer from the storage bins to the blender and mixer. This operational area runs the length of the building and is 178' long by 32' wide for a total of 5,696 square feet and is part of OC-1 depicted in blue in Figure 3. This area is called out as a concrete operational area on the draft permit AC 92101687.

The overhead door on the right leads to a drive through loadout facility. This enclosed building loadout area is for the loading of dry fertilizer application and transport equipment. This area is part of OC-1 in Figure 3 and measures 24.5' x 120'. This area is called out as dry fertilizer operational containment area. To the left of the loadout bay, within the building, between the end loader operational area and the loadout bay is the operational area for blending, mixing, and loading the fertilizer. This area is also a part of OC-1. Conveyor equipment moves the fertilizer from the blender - to the mixer - to the field application and support equipment in the load out bay.

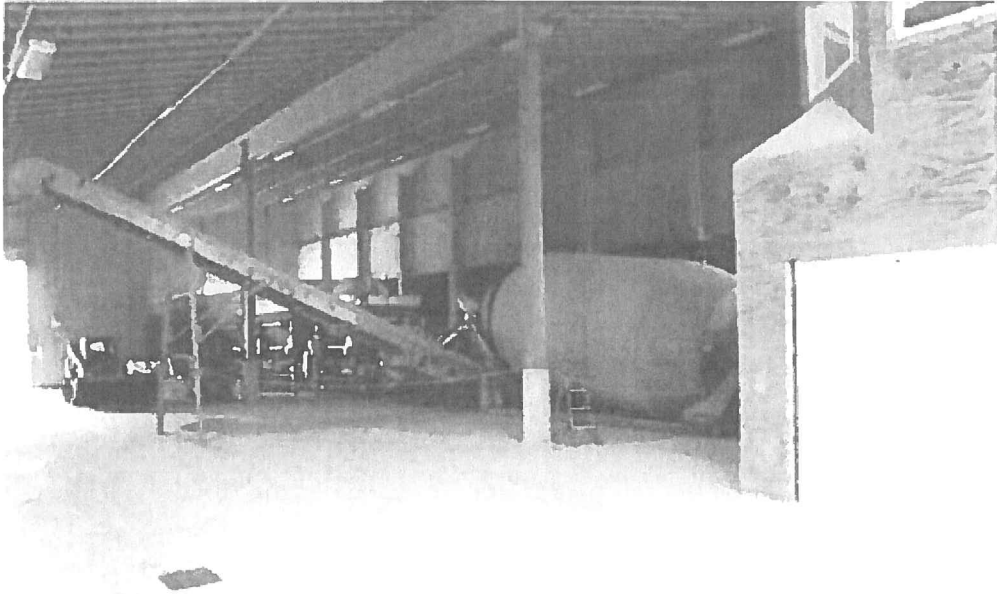
The blending, mixing area is called out in the draft permit as an operational containment structure measuring 16' x 148'.

All of the building and concrete containment "called out" area of OC-1 qualify for certification as pollution containment improvements.





Inside Building View of Front End Loader Operational Area of OC-1



Inside building view of blending , mixing and loading operational area of OC-1  
Fertilizer is loaded into field application equipment from the conveyor on left side of picture  
Blending and mixing equipment is in background

**OC-1 Operation Containment Area**

An endloader collects the dry fertilizer from the storage bins of 5C-1. The endloader moves the dry fertilizer from the storage bins via the driveway area of the building and deposits the fertilizer into the blender. The blender moves the material via a covered conveyor to a hopper and then by covered conveyor from the hopper to the mixer. After the fertilizer is mixed it is discharged to the covered loadout conveyor which fills the field applicators and/or support vehicles.

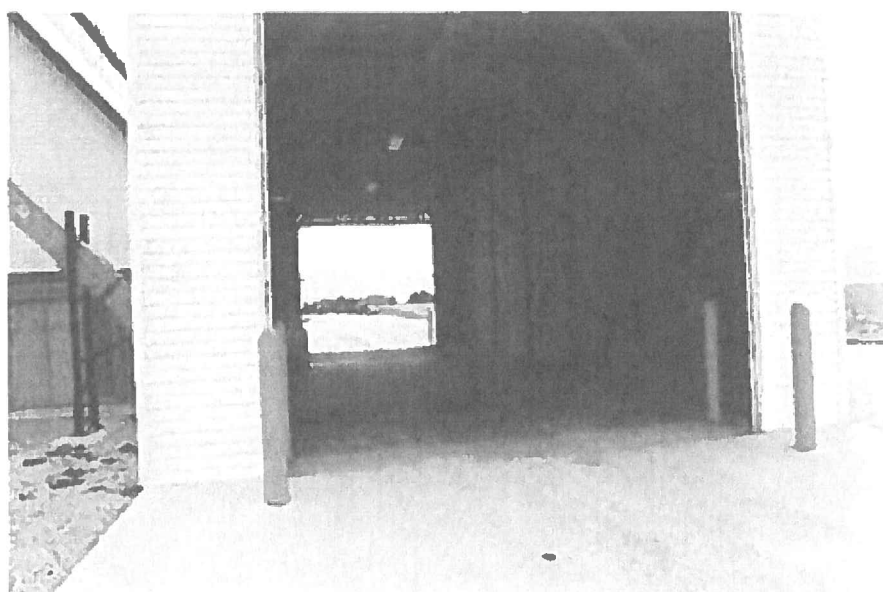
The building area of OC-1 is protected from the elements by the building structure area covering OC-1. OC-1 has a new concrete surface area which allows for periodic cleaning and brooming of the operational area. The covered OC-1 eliminates weather as a factor in washing away or blowing away dust and residual fertilizer that escapes the moving, handling and processing equipment thereby preventing soil contamination of the area surrounding the dry fertilizer building. OC-1 encompasses approximately one-half of the total area of the dry fertilizer building.

**OC-2 Operation Containment Area**

The OC-2 operational containment area is a 1,440 square foot "drive through" building that is open on both ends so tractor trailer trucks can pull into the structure and unload dry fertilizer into a covered conveyor that delivers it to the storage area (5C-1) of the dry fertilizer building.

This structure prevents rain water from washing away residual fertilizer dust and dry fertilizer that may escape the transfer of the fertilizer from the truck to the covered conveyor system. The building structure also acts as a wind break to prevent dust particles from blowing away.

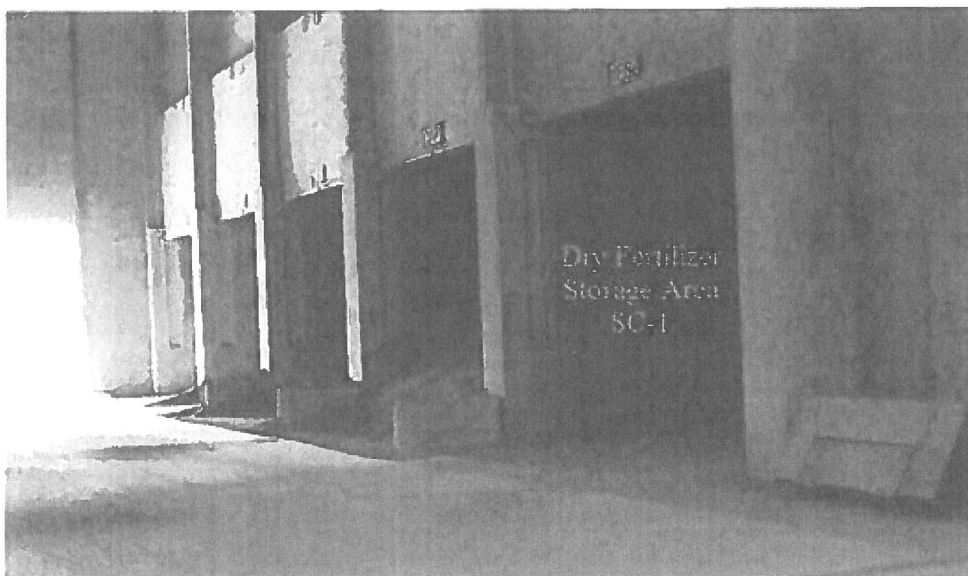
This building is an operational area where tractor trailer transport trucks unload dry fertilizer into a dump pit and into a conveyor which in turn delivers product to the dry fertilizer storage area of the fertilizer building. This truck unloading building structure protects the dry fertilizer from the elements during the transfer between the truck and the receiving conveyor. This operational area is approximately 60' x 24' for a total of 1,440 square feet and is shown as OC-2 outlined in blue in Figure 3.



View of Tractor Trailer Unloading Building (OC-2) Adjacent to Dry Fertilizer Building

**SC-1 Secondary Containment Area**

The portion of the building denoted as SC-1 in Figure 3 is the dry fertilizer storage area of the building. This portion of the building has a concrete floor that prevents any dry fertilizer residue from penetrating into the ground and contaminating the soil or ground water. The building area of SC-1 is 12,460 square feet (70' x 178'). The concrete floor portion of the dry fertilizer storage area of the building qualifies for certification as a pollution control device.



Approximately one-half of the dry fertilizer facility is for dry fertilizer storage

Operational containment areas as described in 255.90 of the Agrichemical Facilities Administrative Code have been historically recognized and approved by the Illinois EPA as certified pollution control facilities. In prior endorsements the concrete portion of the operational containment and the building covering the operational containment have been included in the certifications.

**Conclusions:**

It is concluded that the operational containment portion of the dry fertilizer facility is as follows:

**OC-1**

- 1) End loader operational area: 32' x 178' = 5,696 sq. ft.
- 2) Blending and mixing area: 16' x 148' = 2,368 sq. ft.
- 3) Application and transport loadout area 24.5' x 120' = 2,940 sq. ft.

Totals of OC-1 11,004 sq. ft.

OC-2\_Tractor trailer unloading 60' x 24' 1,440 sq. ft.

Secondary containment portion of dry fertilizer building:

SC-1 Fertilizer Storage portion of Dry Fertilizer Building 70' x 178' = 12,460 sq. ft.

**DRAFT**

**AGRICHEMICAL FACILITY PERMIT MODIFICATION**

<b>Permittee:</b> Conserv FS, Inc. P O. Box 1550 Woodstock, IL 60098	<b>Facility ID Number:</b> AC0373090000 <b>Facility Location:</b> Waterman
<b>Permit #:</b> AC92101687 <b>Facility Type:</b> Commercial: Retail Dealer <b>Date Issued:</b> October 31, 2022	<b>Log Number:</b> 21033347 <b>Date Received:</b> March 1, 2021 <b>Expiration Date:</b> May 31, 2023

A permit modification is hereby granted to the above designated permittee to construct and/or operate an agrichemical facility which was previously approved under the above referenced permit number. The facility and associated permit has been modified as follows:

**OPERATIONAL CONTAINMENT STRUCTURE**

Installation and operation of a reinforced concrete operational containment structure measuring 57' (width) x 86.33' (length) x 0.33' (height) with a total design capacity of 833.3 cubic feet (ft.<sup>3</sup>). The floor shall slope to a sump trench measuring 1.5' (width) x 86.33' (length) x 1.25' (depth) to facilitate the collection and recovery of all escaped product and/or agrichemical wastewater. All recovered effluent shall be transferred to one (1) of two (2) 250-gallon recovery tanks with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. Loading, unloading, and washing of bulk liquid agrichemical transportation and application equipment shall be performed upon the said structure. This structure shall be referred to as **OC-2**.

Installation and operation of a reinforced concrete operational containment structure measuring 31' (width) x 62.67' (length) x 0.33' (height) with a total design capacity of 224.45 cubic feet (ft.<sup>3</sup>). The floor shall slope to a sump measuring 2' (width) x 2' (length) x 2' (depth) to facilitate the collection and recovery of all escaped product and/or agrichemical wastewater. All recovered effluent shall be transferred to one (1) of two (2) 250-gallon recovery tanks with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. All mixing and repacking of liquid agrichemicals shall be performed upon the said structure. This structure shall be referred to as **OC-3**.

Operation of an existing reinforced concrete operational containment structure with the greatest dimensions measuring 30' (width) x 70' (length) x 1.25' (depth) with a total design capacity of 776.0 cubic feet (ft.<sup>3</sup>). The floor shall slope to a single sump measuring 2' (width) x 2' (length) x 2' (depth) to facilitate the collection and recovery of all escaped product and/or agrichemical wastewater. All recovered effluent shall be transferred to a single 5,500-gallon recovery tanks with a manually activated sump pump. The loading and unloading of bulk liquid agrichemical transportation and application equipment shall be performed upon the herein permitted structure. This structure shall be referred to as **OC-3**. This structure was previously permitted on permit# **AC95043656**

### **SECONDARY CONTAINMENT STRUCTURES**

Installation and operation of a reinforced concrete secondary containment structure measuring 28.5' (width) x 69.33' (length) x 0.83' (height) with a total design capacity of 833.76 cubic feet (ft.<sup>3</sup>). The floor shall slope to a single sump measuring 2' (width) x 2' (length) x 2' (depth) to facilitate the collection and recovery of all escaped product and/or agrichemical wastewater. All recovered effluent shall be transferred to one (1) of the two (2) aforementioned 250-gallon recovery tanks with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. Bulk liquid pesticides shall be stored within the said structure. This structure shall be referred to as SC-3.

Installation and operation of a reinforced concrete secondary containment structure measuring 44' (width) x 58' (length) x 3.5' (height) with a total design capacity of 8,932 cubic feet (ft.<sup>3</sup>). The floor shall slope to the lowest elevation to facilitate the collection and recovery of all escaped product and/or agrichemical wastewater. All recovered effluent shall be transferred to one (1) of the two (2) aforementioned 250-gallon recovery tanks with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. Bulk liquid fertilizer shall be stored within the said structure. This structure shall be referred to as SC-4.

### **DRY FERTILIZER STRUCTURES**

Installation and operation of a bulk dry fertilizer storage building measuring 178' (width) x 152' (length) with an estimated total storage capacity of 7,564 tons. The structure is composed of ten (10) storage bins (two (2) bins, each bin measuring 32' (width) x 88' (length) with an estimated storage capacity of 2390 tons each and eight (8) bins, each bin measuring 16' (width) x 38' (length) with an estimated storage capacity of 348 tons each).

All bulk dry fertilizer shall be stored within the herein permitted structure.

Installation and operation of a reinforced concrete operational containment structure measuring 32' (width) x 178' (length). All end loader transfer of bulk dry fertilizer between storage and the blender shall be performed upon the herein permitted structure.

Installation and operation of a reinforced concrete operational containment structure measuring 24' (width) x 28' (length). The unloading of bulk dry fertilizer transportation and application equipment shall be performed upon the herein permitted structure.

Installation and operation of a reinforced concrete operational containment structure measuring 16' (width) x 148' (length). All blending of bulk dry fertilizer shall be performed upon the herein permitted structure.

Installation and operation of a reinforced concrete operational containment structure measuring 24.5' (width) x 120' (length). All loading of bulk dry fertilizer transportation and application equipment shall be performed upon the herein permitted structure.

This permit modification has also been reviewed and approved by the Illinois Environmental Protection Agency per the attached permit modification endorsement. The expiration date of this permit modification shall remain the same as issued on the original permit.

All Special Conditions on the original permit issued are also applicable to this permit unless specifically deleted or revised in this permit.

**SPECIAL CONDITION 5:** The permittee shall employ concentric piping for the piping span from the bulk liquid fertilizer storage tank to the operational containment structure.

THE STANDARD CONDITIONS OF ISSUANCE ON THE REVERSE SIDES OF THIS MUST BE COMPLIED WITH IN FULL.

**Brad A. Beaver, Acting-Chief**  
Bureau of Environmental Programs

**Rosario Johnstone, Manager**  
Technical Services & Pesticide Laboratory

IEPA WPC: Permits  
file  
037309 pmod



June 30, 2023

**SENT VIA EMAIL**

Darren Gove  
Permit Section, Division of Water Pollution Control  
Bureau of Water, Illinois EPA  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276  
Email: [darren.gove@illinois.gov](mailto:darren.gove@illinois.gov)

**Re: Conserv FS, Inc. (DeKalb County)  
Tax Certification Program for Agrichemical Facilities  
Log # TC-147349**

Dear Mr. Gove:

We write in response to the numbered paragraphs from your April 20, 2023 letter and enclose corresponding supportive documents.

**1. Concerning the facility's plan diagrams labeled Figure 1, Figure 2, and Figure 3; most of the information contained on the drawings was not legible. Please provide diagrams or section drawings that clearly show the major dimensions for each structure for which tax certification is requested.**

**Response:** We have attached updated facility drawings for the Waterman Dry Shed ("Conserv FS Dry Fertilizer Waterman 3-17-21," attached hereto as Exhibit A) and Waterman Liquid Warehouse ("Conserv FS Chemical Whse Waterman 5-5-21," attached hereto as Exhibit B).

**2. In the case of all operational containment structures for liquid fertilizer (OC-1, OC-2 and OC-3), there is insufficient evidence provided in the application for the Agency to determine that the roof above these structures has a primary purpose of eliminating, preventing, or reducing air or water pollution, as required for certification under Title 35 Ill. Admin. Code 125.200(a)(l). Regarding operational activities, Title 8 Ill. Admin. Code 255.90(a) states that they "shall be done with a containment system designed to intercept, retain, and recover operational and accidental spillage, leakage, wash water, and agrichemical residues." While a roof may clearly contribute to eliminating, preventing or reducing pollution, its purpose may be more clearly identified or associated with other operational goals or functions, more so than with pollution control. As Part 255 does not mandate the use of a roof above an operational containment structure, a roof may be considered extraneous or unnecessary to meet requirements of Part 255. Therefore, additional information demonstrating how the primary purpose of the roof over these structures is for eliminating, preventing, or reducing pollution is necessary. Please provide additional information as indicated or provide a statement that it is your request to withdraw these structures from consideration.**

1110 McConnell Rd · Woodstock, IL 60098  
(815) 334.5950 Fax: (815) 334.5910  
[www.conservfs.com](http://www.conservfs.com)

313961531.v1

**Response:** Section 255.90 of Title 8 of the Illinois Administrative Code states, in part, “if the loading area containment area is not protected from contact with precipitation, the containment volume shall be equal to or greater than the volume generated by a 6-inch rain storm.” According to Project Engineer Andrew L. Logsdon, “The containment volume of operational containment areas OC-1, OC-2, and OC-3 are less than the volume of the 6-inch rain storm stated in the code to be equivalent to the 25-year, 24-hour storm event.” See “23.06.26 Greystone Construction - Conserv FS Waterman Letter,” attached hereto as Exhibit C. The following table, using data provided on pages 4 and 5 of Exhibit C, demonstrates Logsdon’s calculations:

Liquid Containment Area	Volume, Containment Area	Volume, 6-in. Rain Storm (25 Yr., 24 Hr.)	Volume, 10-yr. Rain
OC-1	5,529 gal.	8,378 gal.	6,241 gal.
OC-2	12,147 gal.	18,404 gal.	13,711 gal.
OC-3	4,796 gal.	7,265 gal.	5,413 gal.

The loading containment area is inside of the building. The building is an integral part of the engineered design components that are in place to satisfy the regulations for an operational containment area that does not have to be designed to accommodate a 6-inch rain event. If the operational and secondary containment located within the liquid building at Waterman were not covered by a roof, the required containment holding capacity for a 6” rain would be 70,000 gallons.

Covering the operational and secondary containment areas with a building is the only solution to mitigate all potential causes of environmental pollution from rain water. Therefore, the primary purpose of the roof covering the operational and secondary containment areas for liquid fertilizer is for eliminating, preventing, or reducing pollution. A building over a large operational containment structure qualifies as a containment system referenced in Title 8 Ill. Admin Code 255.90 (a). Further, a building over these massive, contiguous operational areas is the most efficient, cost effective and surest solution to mitigate foreseen and unforeseen ground water contamination.

Because the building covering the operational containment areas is the most efficient means to mitigate the pollution for those areas, constructing the same building over the secondary containment areas is similarly the most efficient and cost-effective way to mitigate the water pollution from the secondary containment surfaces.

**3. In the case of the secondary containment structures for liquid fertilizer identified as SC-1 and SC-2, there is insufficient evidence provided in the application for the Agency to determine that the concrete floor areas associated with these structures has a primary purpose of eliminating, preventing, or reducing air or water pollution, as required for certification under Title 35 Ill. Admin. Code 125.200(a)(1). Consistent with Title 8 Ill. Admin. Code 255.80(a) which states that "All agrichemical non-mobile storage containers for liquid pesticides and liquid fertilizer shall be located within a secondary containment structure.", the application indicates that SC-1 and SC-2 do not require agrichemical permit coverage. While the storage of packaged products in such a location may clearly be more protective of the environment compared to some alternatives, the purpose of storing the packaged products in this location may be more clearly identified or associated with other operational goals or functions, more so than with pollution control. Therefore, additional information demonstrating how the primary purpose of these concrete floor areas are for eliminating, preventing, or reducing pollution is necessary. Please provide additional information**



**as indicated or provide a statement that it is your request to withdraw these structures from consideration**

**Response:** The Illinois Department of Agriculture defines a secondary containment structure as “any structure or basin used to contain agrichemical spills and prevent runoff or leaching from bulk agrichemical containers.” Further, pursuant to Engineer Logsdon’s letter, Exhibit C, and according to Subsection 255.80(3)(d) of Title 8 of the Illinois Administrative Code:

Facilities with mini-bulk containers filled and warehoused for product distribution shall: 1) Provide warehousing area secondary containment structures or systems equal in volume to the largest container; or 2) Provide current immediate response action plan for leakage or spillage and maintain necessary supplies and equipment to effect containment recovery and residue clean-up, in order to be in compliance with secondary containment of this Part.”

Secondary containment structures for liquid fertilizer SC-1 and SC-2 qualify as secondary containment because the concrete floor storage area for each section is contained with a 3” concrete curb. According to Logsdon, “Based on the concrete floor being constructed with a 3” tall curb, water stops and sealed joints, the floor structure is a secondary containment meeting the requirements of Section 255.80(d)(1).” See Exhibit C, p. 2.

Also, the floor of each section slopes to a central collection sump. The floor is designed to have a gentle slope between containment zones to minimize spills. See “Waterman Containment Calculations,” attached hereto as Exhibit D. The floor is also designed specifically to contain any spills that do occur in containment Zones A, B, or C. See Ex. D. Much like with the roof over the operational containment structures for liquid fertilizer, the surface area of SC-1 is 2,772 square feet and the area of SC-2 is 3,195 square feet, bringing the total surface area to 5,967 square feet. The volume of a holding tank that could accommodate the runoff from this sized secondary collection device in a 6” rain would be 22,200 gallons.

Furthermore, the volume of secondary containment areas SC-1, SC-2, and SC-3 is less than the volume of a 6-in. rain storm which per the Code is equivalent to the 25 year, 24 hour storm event. Also, the containment volume of all three areas is less than the volume of a 10 year storm event. Thus, in addition to the floor, pursuant to Title 8 of the Administrative Code Part 255, the building over the secondary containment areas for liquid fertilizer is also part of the containment structure as outlined in the requirements.

**4. In the case of the operational containment structure for dry fertilizer identified as OC-1, there is insufficient evidence provided in the application for the Agency to determine that the roof above the requested structures have a primary purpose of eliminating, preventing, or reducing air or water pollution, as required for certification under Title 35 Ill. Admin. Code 125.200(a)(1). Regarding operational activities for dry fertilizer, Title 8 Ill. Admin. Code 255.140(c) states that "All loading, unloading, mixing and handling of dry fertilizer, unless performed in the field of application, shall be done using a containment method, device or structure." While a roof may clearly contribute to eliminating, preventing or reducing pollution, its purpose may be more clearly identified or associated with other operational goals or functions, more so than with pollution control. As Part 255 does not mandate the use of a roof above an operational containment structure, a roof may be considered extraneous or unnecessary to meet requirements of Part 255. Therefore, additional information demonstrating how the primary purpose of the roof over these structures is for eliminating, preventing, or reducing pollution is necessary. Please provide additional information as indicated or provide a statement that it is your request to withdraw these structures from consideration.**

**Response:** Section 255.140 of Title 8 of the Illinois Administrative Code states, in part, “Dry fertilizer materials shall be stored and handled in a manner to prevent pollution by minimizing losses to the air, surface water, underground water or subsoil,” and containment devices or structures may include “enclosing handling areas.” Per Project Engineer Logsdon, “Enclosing the operational containment areas of the dry fertilizer building meets the containment requirements as stated in the code. Further, the curbing of the building would hold a 6” rain event at maximum; a 50-year storm event would not be contained in the operational containment area.” See Ex. C, p. 2. The following table, using data provided on page 6 of Exhibit C, demonstrates Logsdon’s calculations:

Dry Containment Area	Volume, Containment Area	Volume, 50-Yr. Rain
OC-1	41,155 gal.	44,310 gal.
OC-2	5,386 gal.	5,798 gal.

On page 23 of the original Application for Certification of dry fertilizer operational containment, the operational area OC-1 is depicted on the floor diagram of the dry fertilizer building. This operational area is described two pages later as two measurements. The first is the loader operational area measuring 178’ x 32’ for a total area of 5,696 square feet. This area of the building is where the loader moves dry fertilizer to the blending bins. The second operational area described is a 24.5’ x 120 area where the loading of processed dry fertilizer is loaded into transportation or application vehicles. This described operational area is 2,940 square feet. The third dry fertilizer operational area is the area of the building between the loader operations and the loadout area. In this operational area the fertilizer is processed through a mixing machine and then blended into a final product and conveyed to the loadout area. This area measures 16’ x 178’ or 2,848 square feet. The combined operational area is approximately 11,485 square feet.

The construction application permit indicates on the schedule D Summary page that all areas of the building are “enclosed”. This notation is similar to the notation for the liquid operational areas referenced earlier. If the building were not enclosed and the operational area was exposed to the elements, there would have to be a pollution containment system that would contain a 6-inch rain event. Designing such a system would require a storage capacity of 43,000 gallons. The building over the operational area substitutes as the primary method of mitigating pollution runoff from the concrete floor of the operational containment area and therefore qualifies as a certified pollution containment structure.

**5. In the case of the operational containment structure for dry fertilizer identified as OC-2, there is insufficient evidence provided in the application for the Agency to determine that the concrete floor area associated with this structure has a primary purpose of eliminating, preventing, or reducing air or water pollution, as required for certification under Title 35 Ill. Admin. Code 125.200(a)(1). Regarding operational activities for dry fertilizer, Title 8 Ill. Admin. Code 255.140(c) states that "All loading, unloading, mixing and handling of dry fertilizer, unless performed in the field of application, shall be done using a containment method, device or structure." While the concrete floor adjacent to the unload sump may clearly contribute to eliminating, preventing or reducing pollution, the concrete floor may perform the primary function (purpose) of facilitating dry fertilizer collection and conveyance whereas the enclosure of the handling area is viewed as having the primary function of pollution control. Therefore, additional information demonstrating how the primary purpose of the concrete floor in this structure is for eliminating, preventing, or reducing pollution is necessary. Please provide additional information as indicated or provide a statement that it is your request to withdraw these structures from consideration.**

**Response:** Section 255.140 of Title 8 of the Illinois Administrative Code states:

All loading, unloading, mixing and handling of dry fertilizer, unless performed in the field of application, shall be done using a containment method, device or structure. The containment method, device or structure shall be of a size and design that will contain the fertilizer and operated to minimize emission of dust and/or vapors beyond the facility boundaries. Any collected material shall be applied at agronomic fertilizer rates or otherwise recycled.

8 Ill. Admin. Code 255.140(c).

According to Logsdon, "Because OC-2 is an open-ended building, it is not fully enclosed to prevent precipitation from blowing inside which could cause material to escape the building during rain events. The concrete floor and 6" tall curb contains any spilled material and rainwater allowing it to be cleaned up rather than running out of the building." See Ex. C, p.3. The floor is therefore "part of the containment structure." *Id.*

The fertilizer receiving area described as OC-2 in the certification application is an open-ended building. The open nature of the end walls allows for the easy entry of unloading transportation vehicles. The open nature of the building also allows for blowing precipitation to enter the unloading area. The concrete floor of the unloading area allows the escaped dry fertilizer material to be swept up and moved to the storage bins after each truck is unloaded. Without the concrete floor to provide a surface area to sweep up the escaped fertilizer during the unloading process, precipitation would carry the escaped fertilizer into the ground water. Therefore, the concrete floor area associated with OC-2 was constructed for the primary purpose of eliminating, preventing, or reducing air or water pollution.

**6. In the case of the secondary containment structure for dry fertilizer identified as SC-1, Title 8 Ill. Admin. Code 255.140(b) states that "Nonliquid fertilizers shall be stored inside a sound structure or device having a cover or rooftop, sidewalls and base sufficient to prevent contact with precipitation and surface waters." Based on this requirement, the Agency notes that the portion of the building's roof over the secondary containment structure, associated sidewalls (less any internal dividing walls) and constructed floor may be considered as having a primary purpose of eliminating, preventing, or reducing air or water pollution. An amended application documenting and justifying a request for any items related to the above Agency comment is required if further Agency consideration is desired.**

**Response:** Conserv FS wishes to amend the original Waterman Certification Application to include the storage area of the dry fertilizer structure for certification as having the primary purpose of eliminating, preventing, or reducing air or water pollution to the original certification application. The total square footage of the storage area of the building is approximately 12,460 square feet. Please allow this correspondence to act as our amended application. If you need something further, please advise.

**7. Provide the original cost of the pollution control facility**

**Response:** The original cost of the pollution control facility was \$2,100,000.

#### **Conclusion**

For the foregoing reasons, the application as amended should be approved. As a final general note, the entire buildings for liquid fertilizer and dry fertilizer operations and containment serve the purpose of eliminating, preventing, or reducing water pollution. Without the liquid fertilizer building, a 400,000 gallon tank would be required to store enough rinsate to accommodate 80% of the rain that occurs during the growing season. Over 20 years, the combined cost of constructing such a tank and spread rinsate as required more than doubles the cost of operational and secondary containment. See "Rinsate Disposal Calculations without Buildings," attached hereto as Exhibit E. Similarly, as to the dry fertilizer operational

areas, the cost to mitigate rinsate without the buildings exceeds 100% of the cost of the buildings. Therefore, the buildings contribute more than half of their value to pollution control, serving the primary purpose of eliminating, preventing, or reducing air or water pollution. Finally, attached hereto, are two examples of similar applications for tax certification that were previously approved by the IEPA, attached hereto as Exhibit F.

We appreciate the opportunity to provide this information in cooperation with your analysis of our tax certification application. We hope the information provided in this letter answers your questions. We believe it demonstrates how the operational and secondary containment structures were constructed for the primary purpose of eliminating, preventing, or reducing pollution and thereby satisfy the requirements to qualify for pollution control tax certification. Please do not hesitate to contact us if any further questions arise.

Very truly yours,  
Conserv FS, Inc.



David Swigart

CC: Mark Scobbie  
David Myroth  
Keith Honegger  
Andrew L. Logsdon, P.E.

Richard Porter, Hinshaw & Culbertson LLP

# Bruner, Cooper & Zuck

INC.



Engineers • Architects • Land Surveyors

June 29, 2023

Permit Section, Division of Water Pollution Control  
Bureau of Water, Illinois EPA  
P.O. Box 19276  
1021 North Grand Avenue East  
Springfield, Illinois 62794-9276

Subject: IEPA Pollution Control Tax Certification  
Conserv FS  
Waterman, Illinois  
Our Project No. 2023141-3

To Whom It May Concern:

On behalf of our client, Greystone Construction, we are corresponding in regard to the Illinois Environmental Protection Agency letter, responding to the pollution control tax certification for the Conserv FS facility located in Waterman, Illinois. The following responses are in corresponding order to the comments on the IEPA letter.

2. Regarding comment #2 concerning the liquid fertilizer operational containment areas roof, we have reviewed Title 8 of the Illinois Administrative Code Part 255. Section 255.90(c) states the following:

If the loading area containment area is not protected from contact with precipitation, the containment volume shall be equal to or greater than the volume generated by a 6 inch rain storm.

The containment volume of operational containment areas OC-1, OC-2 and OC-3 are less than the volume of the 6-inch rain storm which is stated in the code to be equivalent to the 25-year, 24-hour storm event. In addition, the containment volume of all three areas is less than the volume of a 10-year storm event. Please see the enclosed supporting calculations.

835 Golden Valley Drive  
Bettendorf, IA 52722  
563.355.1856

188 E. Simmons Street  
Galesburg, IL 61401  
309.343.9282

308 N. 3rd Street  
Burlington, IA 52601  
319.752.9282

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Engineers, Architects & Land Surveyors

IEPA

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June 29, 2023

3. Regarding comment #3 concerning the concrete floor of secondary containment areas for mini-bulk containers filled and warehoused, we have reviewed Title 8 of the Illinois Administrative Code Part 255. Section 255.80(d) states the following:

Facilities with mini-bulk containers filled and warehoused for product distribution shall: 1) Provide warehousing area secondary containment structures or systems equal in volume to the largest container stored; or 2) Provide a current immediate response action plan for leakage or spillage and maintain necessary supplies and equipment to effect containment recovery and residue clean up, in order to be in compliance with secondary containment provisions of this Part.

Based on the concrete floor being constructed with a 3" tall curb, water stops and sealed joints, the floor structure is a secondary containment meeting the requirements of Section 255.80(d)(1).

Further, the volume of secondary containment at areas SC-1, SC-2 and SC-3 for the Waterman facility is less than the volume of a 6-inch rain storm which per the code is equivalent to the 25-year, 24-hour storm event. In addition, the containment volume of all three areas is less than the volume of a 10-year storm event. Thus, in addition to the floor, pursuant to Title 8 of the Illinois Administrative Code Part 255, the building over the secondary containment areas of the liquid fertilizer building is also part of the containment structure as outlined in the requirements.

4. Regarding the comment #4 concerning the dry fertilizer operational containment area roof, Section 255.140(a) of Title 8 of the Illinois Administrative Code Part 255 states the following:

Dry fertilizer materials shall be stored and handled in a manner to prevent pollution by minimizing losses to the air, surface water, underground water or subsoil.

Section 255.140(d) states that containment devices or structures may include "enclosing handling areas." Enclosing the operational containment areas of the dry fertilizer building meets the containment requirements as stated in the code. Further, the curbing of the building will hold a 6" rain event at maximum; a 50-year storm event would not be contained in the operational containment area. Please see the enclosed supporting calculations.

Based on our understanding of Title 8 of the Illinois Administrative Code Part 255, the roof over the operational containment areas of the liquid fertilizer building and dry fertilizer building are a part of the containment structures as outlined in the requirements.

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June 29, 2023

5. Regarding comment #5 concerning the concrete floor of the dry fertilizer operational containment area OC-2, we have reviewed Title 8 of the Illinois Administrative Code Part 255. Section 255.140(c) states the following:

All loading, unloading, mixing and handling of dry fertilizer, unless performed in the field of application, shall be done using a containment method, device or structure. The containment method, device or structure shall be of a size and design that will contain the fertilizer and operated to minimize emission of dust and/or vapors beyond the facility boundaries. Any collected material shall be applied at agronomic fertilizer rates or otherwise recycled.

Because OC-2 is an open-ended building, it is not fully enclosed to prevent precipitation from blowing inside which could cause material to escape the building during rain events. The concrete floor and 6" tall curb contains any spilled material and rainwater allowing it to be cleaned up rather than running out of the building. Based on our understanding of the requirements of Section 255.140(c), the floor is a part of the containment structure.

If you have any questions, please contact me at (563) 355-1856 or by email at [all@bczengineering.com](mailto:all@bczengineering.com).

Yours very truly,

BRUNER, COOPER & ZUCK, INC.



Andrew L. Logsdon, P.E.  
Project Engineer

enc

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JOB: 2023141-3 CONSERV FS WATERMAN/CALEDON  
DESCRIPTION RAIN VOLUME CALCS LIQUID BLNG  
SHEET NO. 1 OF 2  
CALCULATED BY ALL DATE 6/15/23  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

ASSUMPTIONS

- DIMENSIONS PROVIDED BY GREYSTONE CONSTRUCTION
- CUBIC FEET TO GALLONS = 7.48 GAL/FT<sup>3</sup>
- RAINFALL AMOUNTS FROM ISWS BULLETIN 70 FOR NORTHEAST REGION
- 6" RAIN IS PER PART 265 OF THE IL ADMIN CODE FOR 25 YEAR, 24 HR RAIN

OC-1 28' x 80' x 0.33'

$$\text{VOLUME PROVIDED} = 28(80)(0.33)(7.48) = 5,529 \text{ GAL}$$

$$\begin{aligned} \text{6" RAIN VOLUME} &= 28(80)(0.50)(7.48) = 8,378 \text{ GAL} \\ &(\text{25 YEAR, 24 HOUR}) \end{aligned}$$

$$\text{10-YEAR RAIN} = 28(80)\left(\frac{4.47}{12}\right)(7.48) = 6,241 \text{ GAL}$$

OC-2 57' x 86.33' x 0.33'

$$\text{VOLUME PROVIDED} = 57(86.33)(0.33)(7.48) = 12,147 \text{ GAL}$$

$$\begin{aligned} \text{6" RAIN VOLUME} &= 57(86.33)(0.50)(7.48) = 18,404 \text{ GAL} \\ &(\text{25 YEAR, 24 HOUR}) \end{aligned}$$

$$\text{10-YEAR RAIN} = 57(86.33)\left(\frac{4.47}{12}\right)(7.48) = 13,711 \text{ GAL}$$



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JOB: 2023141-3 CONSERV FS WATERMAN/CALEDONIA

DESCRIPTION RAIN VOLUME CALCS LIQUID BLDG

SHEET NO. 2 OF 2

CALCULATED BY ALL DATE 6/15/23

CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

OC-3 31' x 62.67' x 0.33'

$$\text{VOLUME PROVIDED} = 31(62.67)(0.33)(7.48) = 4,796 \text{ GAL}$$

$$\begin{aligned} \text{6" RAIN VOLUME} &= 31(62.67)(0.50)(7.48) = 7,265 \text{ GAL} \\ \text{(25 YEAR, 24 HOUR)} & \end{aligned}$$

$$\text{10-YEAR RAIN} = 31(62.67)\left(\frac{4.47}{12}\right)(7.48) = 5,413 \text{ GAL}$$

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JOB: 2023141-3 CONSERV FS WATERMAN/CALEDONIA  
DESCRIPTION RAIN VOLUME CALCS DRY BLDG  
SHEET NO. 1 OF 1  
CALCULATED BY ALL DATE 6/16/23  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

ASSUMPTIONS

- DIMENSIONS PROVIDED BY GREYSTONE CONSTRUCTION
- CUBIC FEET TO GALLONS = 7.48 GAL/FT<sup>3</sup>
- RAINFALL AMOUNTS FROM ISWS BULLETIN 70 FOR NORTHEAST REGION

OC-1 178' x 32', 16' x 148', 24.5' x 120' (TOTAL = 11,004 FT<sup>2</sup>)

$$\text{VOLUME PROVIDED} = [178(32) + 16(148) + 24.5(120)](7.48)(0.5) = 41,155 \text{ GAL}$$

$$\text{50-YEAR RAIN} = 11,004 \left( \frac{6.46}{12} \right) (7.48) = 44,310 \text{ GAL}$$

OC-2 60' x 24'

$$\text{VOLUME PROVIDED} = 60(24)(0.50)(7.48) = 5,386 \text{ GAL}$$

$$\text{50-YEAR RAIN} = 60(24) \left( \frac{6.46}{12} \right) (7.48) = 5,798 \text{ GAL}$$

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Figure 7. Precipitation-reporting stations and climatic sections used in developing Illinois frequency relations

The state was divided into ten sections of approximately homogeneous precipitation climate (figure 7). This was done through assessment of the heavy rainfall distributions for the 61 stations during the 1901-1983 sampling period, along with consideration of other pertinent meteorological and climatological information. Initially, an evaluation was made of the suitability of the nine climatic sections of the

National Weather Service (NWS) (figure 3) for dividing the state into sections of approximately equivalent precipitation climate with respect to heavy rainstorms. Although the NWS sections are frequently used for climatic grouping of temperature and precipitation parameters (such as monthly or seasonal rainfall), adjustments were necessary in this grouping to adequately characterize the spatial and tem-

SECTION II, ii - ISWS BULLETIN 70

**Table 13. Sectional Frequency Distributions  
for Storm Periods of 5 Minutes to 10 Days  
and Recurrence Intervals of 2 Months to 100 Years**

		<i>Storm codes</i>					<i>Sectional (zone) codes</i>						
		1 - 10 days		9 - 3 hours		1 - Northwest		2 - Northeast		3 - West			
		2 - 5 days		10 - 2 hours		4 - Central		5 - East		6 - West Southwest			
		3 - 72 hours		11 - 1 hour		7 - East Southeast		8 - Southwest		9 - Southeast			
		4 - 48 hours		12 - 30 minutes		10 - South							
		5 - 24 hours		13 - 15 minutes									
		6 - 18 hours		14 - 10 minutes									
		7 - 12 hours		15 - 5 minutes									
		8 - 6 hours											
<i>Rainfall (inches) for given recurrence interval</i>													
<i>Storm code</i>	<i>Zone code</i>	<i>2-month</i>	<i>3-month</i>	<i>4-month</i>	<i>6-month</i>	<i>9-month</i>	<i>1-year</i>	<i>2-year</i>	<i>5-year</i>	<i>10-year</i>	<i>25-year</i>	<i>50-year</i>	<i>100-year</i>
1	1	2.14	2.60	2.97	3.50	4.02	4.37	5.23	6.30	7.14	8.39	9.64	11.09
1	2	2.02	2.48	2.80	3.30	3.79	4.12	4.95	6.04	6.89	8.18	9.38	11.14
1	3	2.27	2.78	3.13	3.68	4.23	4.60	5.60	6.91	7.89	9.24	10.36	11.90
1	4	2.10	2.58	2.92	3.43	3.93	4.29	5.12	6.27	7.10	8.19	9.10	10.18
1	5	2.13	2.62	2.96	3.48	4.00	4.35	5.15	6.21	6.97	8.04	8.90	9.92
1	6	2.16	2.65	2.99	3.52	4.05	4.40	5.35	6.62	7.45	8.66	9.79	11.26
1	7	2.30	2.80	3.16	3.70	4.27	4.64	5.58	6.80	7.61	8.66	9.70	10.87
1	8	2.22	2.74	3.09	3.63	4.18	4.54	5.54	6.80	7.80	9.20	10.44	11.81
1	9	2.30	2.88	3.23	3.80	4.33	4.75	5.74	7.09	8.07	9.54	10.68	11.79
1	10	2.55	3.15	3.58	4.21	4.84	5.26	6.36	7.81	8.90	10.34	11.36	12.50
2	1	1.76	2.12	2.38	2.76	3.17	3.45	4.13	5.10	5.91	7.21	8.36	9.97
2	2	1.66	1.98	2.24	2.60	2.99	3.25	3.93	4.91	5.70	6.93	8.04	9.96
2	3	1.92	2.30	2.56	2.97	3.41	3.71	4.57	5.80	6.65	7.90	8.95	10.50
2	4	1.77	2.12	2.37	2.78	3.20	3.48	4.17	5.11	5.84	6.76	7.98	9.21
2	5	1.75	2.10	2.37	2.75	3.15	3.42	4.12	4.96	5.67	6.76	7.65	8.78
2	6	1.77	2.13	2.39	2.78	3.19	3.47	4.19	5.32	6.20	7.44	8.53	9.93
2	7	1.85	2.22	2.50	2.90	3.31	3.63	4.34	5.33	6.11	7.28	8.37	9.65
2	8	1.85	2.21	2.49	2.90	3.31	3.62	4.40	5.46	6.34	7.68	8.88	10.68
2	9	1.90	2.29	2.59	3.00	3.45	3.75	4.48	5.57	6.50	7.91	9.16	10.57
2	10	2.09	2.52	2.83	3.29	3.77	4.10	4.99	6.20	7.21	8.45	9.45	10.82
3	1	1.58	1.90	2.11	2.45	2.82	3.06	3.73	4.67	5.42	6.59	7.64	8.87
3	2	1.53	1.83	2.02	2.34	2.70	2.93	3.55	4.44	5.18	6.32	7.41	8.78
3	3	1.72	2.05	2.28	2.64	3.02	3.30	4.08	5.11	5.87	6.97	7.95	9.48
3	4	1.59	1.91	2.12	2.44	2.80	3.05	3.70	4.55	5.26	6.15	7.25	8.16
3	5	1.61	1.93	2.16	2.48	2.85	3.10	3.71	4.57	5.20	6.17	6.97	7.83
3	6	1.63	1.95	2.16	2.50	2.88	3.13	3.81	4.85	5.68	6.84	7.76	8.92
3	7	1.62	1.90	2.15	2.50	2.87	3.12	3.73	4.64	5.32	6.39	7.35	8.54
3	8	1.67	1.97	2.20	2.54	2.93	3.22	3.94	4.92	5.74	6.97	8.12	9.55
3	9	1.73	2.02	2.25	2.62	3.00	3.27	3.92	4.92	5.75	7.05	8.23	9.40
3	10	1.88	2.25	2.49	2.87	3.30	3.59	4.36	5.48	6.34	7.53	8.54	9.52
4	1	1.47	1.74	1.93	2.24	2.58	2.80	3.42	4.28	4.96	6.07	7.02	8.07
4	2	1.44	1.70	1.90	2.18	2.49	2.70	3.30	4.09	4.81	5.88	6.84	8.16
4	3	1.61	1.88	2.09	2.42	2.76	3.01	3.68	4.56	5.50	6.45	7.56	8.80
4	4	1.46	1.76	1.95	2.25	2.58	2.81	3.38	4.19	4.86	5.78	6.62	7.51
4	5	1.51	1.77	1.95	2.26	2.57	2.82	3.40	4.16	4.77	5.66	6.40	7.16
4	6	1.52	1.81	2.00	2.30	2.64	2.87	3.49	4.45	5.21	6.38	7.12	8.19
4	7	1.52	1.78	1.98	2.30	2.64	2.87	3.42	4.26	4.88	5.84	6.75	8.00
4	8	1.57	1.85	2.06	2.38	2.75	2.97	3.59	4.52	5.26	6.43	7.36	8.81
4	9	1.59	1.87	2.07	2.40	2.76	3.00	3.60	4.52	5.28	6.48	7.58	8.62
4	10	1.75	2.08	2.31	2.65	3.02	3.30	4.00	5.03	5.80	6.93	7.86	8.79
5	1	1.40	1.64	1.80	2.08	2.36	2.57	3.11	3.95	4.63	5.60	6.53	7.36
5	2	1.38	1.61	1.76	2.03	2.31	2.51	3.04	3.80	4.47	5.51	6.46	7.58
5	3	1.53	1.77	1.95	2.24	2.56	2.79	3.45	4.29	4.93	6.07	7.04	8.20
5	4	1.39	1.63	1.80	2.04	2.32	2.52	3.02	3.76	4.45	5.32	6.08	6.92
5	5	1.36	1.58	1.75	2.00	2.27	2.47	3.01	3.71	4.26	5.04	5.87	6.61
5	6	1.42	1.66	1.84	2.10	2.38	2.59	3.11	3.93	4.65	5.57	6.46	7.45
5	7	1.40	1.63	1.78	2.07	2.35	2.55	3.03	3.80	4.44	5.37	6.23	7.41
5	8	1.49	1.73	1.90	2.20	2.48	2.71	3.28	4.13	4.76	6.02	7.07	8.21
5	9	1.44	1.68	1.85	2.12	2.41	2.62	3.16	4.00	4.62	5.79	6.71	7.73
5	10	1.63	1.91	2.10	2.41	2.74	2.97	3.62	4.51	5.21	6.23	7.11	8.27

Continued on next page

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Table 13. Continued

*Rainfall (inches) for given recurrence interval*

Storm code	Zone code	2-month	3-month	4-month	6-month	9-month	1-year	2-year	5-year	10-year	25-year	50-year	100-year
6	1	1.30	1.52	1.66	1.92	2.18	2.37	2.86	3.63	4.26	5.15	6.01	6.92
6	2	1.26	1.47	1.61	1.86	2.12	2.30	2.79	3.50	4.11	5.06	5.95	6.97
6	3	1.41	1.64	1.80	2.07	2.36	2.57	3.18	3.95	4.53	5.59	6.47	7.55
6	4	1.27	1.51	1.66	1.88	2.12	2.28	2.75	3.46	4.09	4.90	5.59	6.37
6	5	1.25	1.47	1.62	1.84	2.09	2.27	2.77	3.41	3.92	4.63	5.37	6.08
6	6	1.31	1.53	1.68	1.93	2.19	2.38	2.86	3.61	4.28	5.12	5.95	6.85
6	7	1.29	1.50	1.64	1.90	2.16	2.35	2.79	3.49	4.02	4.94	5.73	6.81
6	8	1.35	1.59	1.74	2.00	2.29	2.49	3.02	3.80	4.38	5.54	6.51	7.55
6	9	1.33	1.55	1.71	1.95	2.22	2.41	2.91	3.68	4.25	5.33	6.17	7.11
6	10	1.51	1.77	1.95	2.22	2.52	2.74	3.33	4.15	4.79	5.74	6.54	7.61
7	1	1.23	1.43	1.57	1.81	2.06	2.24	2.71	3.43	4.03	4.88	5.66	6.51
7	2	1.20	1.40	1.53	1.77	2.01	2.18	2.64	3.31	3.89	4.79	5.62	6.59
7	3	1.34	1.56	1.70	1.94	2.22	2.43	2.98	3.73	4.29	5.28	6.13	7.14
7	4	1.19	1.40	1.53	1.77	2.01	2.17	2.62	3.27	3.87	4.63	5.29	6.02
7	5	1.18	1.38	1.53	1.74	1.98	2.15	2.62	3.23	3.71	4.38	5.08	5.75
7	6	1.24	1.44	1.57	1.82	2.07	2.25	2.71	3.39	3.97	4.84	5.62	6.48
7	7	1.21	1.42	1.55	1.80	2.04	2.22	2.63	3.30	3.84	4.67	5.42	6.45
7	8	1.28	1.50	1.64	1.88	2.15	2.35	2.86	3.60	4.14	5.24	6.15	7.14
7	9	1.25	1.46	1.60	1.85	2.10	2.28	2.75	3.48	4.02	5.04	5.84	6.72
7	10	1.42	1.66	1.83	2.10	2.38	2.59	3.15	3.93	4.53	5.42	6.19	7.20
8	1	1.06	1.24	1.37	1.56	1.77	1.93	2.33	2.96	3.48	4.20	4.90	5.69
8	2	1.03	1.21	1.32	1.52	1.74	1.88	2.28	2.85	3.35	4.13	4.85	5.68
8	3	1.15	1.34	1.47	1.67	1.91	2.10	2.58	3.22	3.70	4.55	5.28	6.15
8	4	1.03	1.21	1.34	1.53	1.74	1.89	2.26	2.82	3.33	3.99	4.56	5.19
8	5	1.00	1.18	1.32	1.49	1.70	1.85	2.26	2.78	3.20	3.78	4.38	4.96
8	6	1.07	1.24	1.37	1.57	1.78	1.94	2.33	2.95	3.48	4.18	4.85	5.59
8	7	1.06	1.23	1.37	1.55	1.74	1.87	2.27	2.85	3.33	4.03	4.67	5.56
8	8	1.12	1.30	1.44	1.64	1.87	2.03	2.45	3.10	3.57	4.52	5.30	6.16
8	9	1.08	1.27	1.41	1.60	1.81	1.97	2.37	3.00	3.47	4.34	5.03	5.80
8	10	1.23	1.44	1.58	1.71	2.05	2.23	2.73	3.39	3.91	4.68	5.31	6.21
9	1	0.91	1.06	1.16	1.33	1.52	1.65	1.99	2.53	2.97	3.59	4.18	4.90
9	2	0.88	1.02	1.13	1.30	1.47	1.60	1.94	2.43	2.86	3.53	4.14	4.85
9	3	0.98	1.15	1.26	1.44	1.65	1.79	2.21	2.75	3.15	3.89	4.51	5.25
9	4	0.89	1.03	1.13	1.30	1.47	1.61	1.93	2.41	2.85	3.41	3.89	4.43
9	5	0.87	1.02	1.12	1.28	1.46	1.58	1.93	2.37	2.73	3.22	3.74	4.23
9	6	0.91	1.07	1.18	1.34	1.52	1.66	1.99	2.51	2.98	3.56	4.14	4.77
9	7	0.89	1.05	1.15	1.32	1.50	1.63	1.94	2.43	2.84	3.44	3.99	4.74
9	8	0.95	1.12	1.22	1.40	1.59	1.73	2.10	2.63	3.08	3.86	4.52	5.25
9	9	0.92	1.08	1.21	1.37	1.55	1.68	2.02	2.56	2.96	3.71	4.29	4.95
9	10	1.06	1.23	1.35	1.54	1.75	1.90	2.32	2.89	3.33	3.99	4.55	5.29
10	1	0.84	0.97	1.06	1.23	1.40	1.52	1.83	2.33	2.74	3.31	3.86	4.47
10	2	0.81	0.95	1.05	1.20	1.36	1.48	1.79	2.24	2.64	3.25	3.82	4.47
10	3	0.91	1.06	1.17	1.32	1.50	1.65	2.02	2.53	2.91	3.58	4.15	4.84
10	4	0.82	0.95	1.04	1.19	1.37	1.48	1.78	2.22	2.62	3.14	3.59	4.08
10	5	0.79	0.93	1.03	1.17	1.34	1.46	1.78	2.19	2.52	2.97	3.44	3.90
10	6	0.84	0.98	1.08	1.24	1.41	1.53	1.84	2.32	2.74	3.28	3.81	4.39
10	7	0.83	0.97	1.07	1.22	1.38	1.50	1.79	2.24	2.62	3.17	3.67	4.39
10	8	0.88	1.02	1.13	1.28	1.47	1.60	1.94	2.44	2.87	3.55	4.20	4.84
10	9	0.85	1.00	1.12	1.26	1.43	1.55	1.85	2.36	2.72	3.41	3.96	4.56
10	10	0.97	1.13	1.25	1.43	1.62	1.76	2.14	2.66	3.07	3.68	4.20	4.88
11	1	0.67	0.78	0.86	0.98	1.11	1.21	1.46	1.86	2.18	2.63	3.07	3.51
11	2	0.65	0.76	0.84	0.96	1.09	1.18	1.43	1.79	2.10	2.59	3.04	3.56
11	3	0.72	0.84	0.92	1.06	1.21	1.31	1.60	2.02	2.32	2.86	3.31	3.85
11	4	0.65	0.76	0.83	0.95	1.09	1.18	1.42	1.77	2.09	2.50	2.86	3.25
11	5	0.64	0.74	0.81	0.93	1.07	1.16	1.41	1.74	2.00	2.39	2.74	3.11
11	6	0.67	0.79	0.87	0.99	1.12	1.21	1.46	1.85	2.19	2.62	3.04	3.50
11	7	0.66	0.77	0.85	0.97	1.10	1.20	1.42	1.78	2.09	2.52	2.93	3.48
11	8	0.70	0.81	0.89	1.02	1.15	1.26	1.54	1.93	2.27	2.84	3.32	3.86
11	9	0.68	0.79	0.88	1.00	1.13	1.23	1.49	1.88	2.20	2.72	3.15	3.63
11	10	0.77	0.90	0.99	1.13	1.29	1.40	1.70	2.12	2.45	2.93	3.34	3.89
12	1	0.52	0.61	0.68	0.77	0.87	0.95	1.15	1.46	1.71	2.07	2.42	2.77
12	2	0.51	0.60	0.65	0.75	0.86	0.93	1.12	1.41	1.65	2.04	2.39	2.80
12	3	0.57	0.66	0.73	0.83	0.95	1.03	1.27	1.59	1.82	2.25	2.61	3.03
12	4	0.52	0.60	0.66	0.75	0.86	0.93	1.12	1.39	1.64	2.00	2.35	2.75
12	5	0.50	0.58	0.64	0.74	0.84	0.91	1.11	1.37	1.57	1.87	2.16	2.45
12	6	0.53	0.61	0.68	0.78	0.88	0.96	1.15	1.46	1.72	2.06	2.39	2.75
12	7	0.52	0.60	0.66	0.76	0.86	0.93	1.12	1.41	1.64	1.99	2.31	2.74
12	8	0.55	0.64	0.71	0.81	0.92	1.00	1.22	1.53	1.78	2.25	2.62	3.03
12	9	0.53	0.62	0.68	0.78	0.89	0.97	1.17	1.47	1.73	2.14	2.48	2.86
12	10	0.61	0.70	0.77	0.89	1.01	1.10	1.34	1.66	1.93	2.31	2.63	3.06

SECTION II, ii - ISWS BULLETIN 70

**Table 13. Concluded**

*Rainfall (inches) for given recurrence interval*

<i>Storm code</i>	<i>Zone code</i>	<i>2-month</i>	<i>3-month</i>	<i>4-month</i>	<i>6-month</i>	<i>9-month</i>	<i>1-year</i>	<i>2-year</i>	<i>5-year</i>	<i>10-year</i>	<i>25-year</i>	<i>50-year</i>	<i>100-year</i>
13	1	0.38	0.45	0.50	0.57	0.64	0.70	0.84	1.07	1.25	1.51	1.76	1.99
13	2	0.37	0.44	0.48	0.55	0.63	0.68	0.82	1.03	1.21	1.49	1.75	2.05
13	3	0.41	0.48	0.53	0.61	0.69	0.75	0.91	1.16	1.33	1.64	1.90	2.21
13	4	0.37	0.44	0.49	0.56	0.63	0.68	0.81	1.02	1.20	1.44	1.64	1.87
13	5	0.37	0.43	0.47	0.54	0.62	0.67	0.81	1.00	1.14	1.37	1.60	1.85
13	6	0.38	0.45	0.49	0.57	0.64	0.70	0.84	1.06	1.26	1.52	1.75	2.01
13	7	0.38	0.44	0.49	0.56	0.63	0.69	0.82	1.03	1.20	1.45	1.68	2.00
13	8	0.40	0.47	0.52	0.59	0.67	0.73	0.89	1.12	1.29	1.63	1.91	2.22
13	9	0.39	0.46	0.50	0.58	0.65	0.71	0.85	1.08	1.25	1.56	1.81	2.09
13	10	0.43	0.51	0.56	0.65	0.74	0.80	0.98	1.22	1.41	1.68	1.92	2.23
14	1	0.31	0.36	0.40	0.46	0.52	0.57	0.68	0.87	1.02	1.23	1.44	1.62
14	2	0.30	0.35	0.39	0.45	0.51	0.55	0.67	0.84	0.98	1.21	1.42	1.67
14	3	0.34	0.39	0.43	0.49	0.56	0.61	0.74	0.94	1.08	1.33	1.55	1.81
14	4	0.30	0.35	0.39	0.45	0.50	0.55	0.66	0.83	0.98	1.17	1.34	1.52
14	5	0.30	0.35	0.38	0.43	0.49	0.54	0.66	0.81	0.94	1.12	1.28	1.46
14	6	0.31	0.36	0.40	0.46	0.52	0.57	0.68	0.87	1.02	1.22	1.42	1.64
14	7	0.31	0.36	0.40	0.45	0.51	0.56	0.66	0.83	0.98	1.18	1.37	1.63
14	8	0.33	0.38	0.42	0.49	0.55	0.60	0.72	0.91	1.05	1.32	1.55	1.81
14	9	0.32	0.37	0.41	0.47	0.53	0.58	0.70	0.88	1.02	1.27	1.48	1.70
14	10	0.36	0.42	0.46	0.53	0.60	0.65	0.80	0.99	1.14	1.37	1.56	1.82
15	1	0.17	0.20	0.22	0.25	0.29	0.31	0.37	0.47	0.56	0.67	0.78	0.89
15	2	0.17	0.19	0.21	0.24	0.28	0.30	0.36	0.46	0.54	0.66	0.78	0.91
15	3	0.18	0.21	0.23	0.26	0.30	0.33	0.40	0.51	0.59	0.73	0.84	0.98
15	4	0.17	0.19	0.21	0.24	0.28	0.30	0.36	0.45	0.53	0.64	0.73	0.83
15	5	0.17	0.19	0.21	0.24	0.28	0.30	0.36	0.44	0.51	0.61	0.70	0.79
15	6	0.17	0.20	0.22	0.25	0.29	0.31	0.37	0.47	0.56	0.67	0.78	0.89
15	7	0.17	0.20	0.22	0.25	0.29	0.31	0.36	0.46	0.54	0.64	0.75	0.89
15	8	0.18	0.21	0.23	0.26	0.30	0.33	0.40	0.50	0.58	0.72	0.85	0.99
15	9	0.18	0.20	0.22	0.26	0.29	0.32	0.38	0.48	0.55	0.69	0.81	0.93
15	10	0.20	0.23	0.25	0.29	0.33	0.36	0.43	0.54	0.62	0.75	0.85	0.99

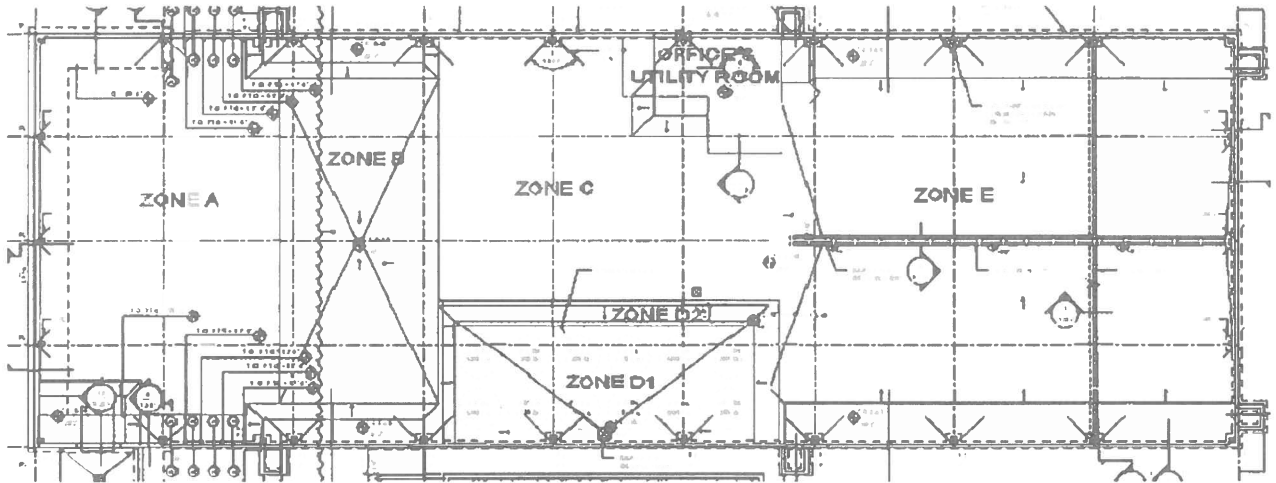
*Note: For Madison County, increase the southwest sectional values by 15% to adjust for the St. Louis urban effect.*

**Table 14. Variations in the Frequency Distributions of 24-Hour Rainfall between Selected Stations**

	<i>Recurrence interval</i>				
	<i>5 yrs</i>	<i>10 yrs</i>	<i>25 yrs</i>	<i>50 yrs</i>	<i>100 yrs</i>
<i>Joliet versus Chicago, NE section, 22 mi. apart</i>					
Joliet (in.)	4.08	4.85	6.04	7.17	8.47
Chicago Midway (in.)	3.81	4.49	5.56	6.47	7.50
Diff. (%)	7	8	9	11	13
<i>Danville versus Urbana, E section, 33 mi. apart</i>					
Danville (in.)	4.01	4.61	5.40	5.95	6.75
Urbana (in.)	3.70	4.20	4.85	5.45	6.10
Diff. (%)	8	10	11	9	11
<i>Belleville versus Greenville, SW section, 33 mi. apart</i>					
Belleville (in.)	4.30	5.08	6.54	7.74	9.20
Greenville (in.)	3.99	4.62	5.76	6.81	7.90
Diff. (%)	8	10	14	14	16

CONSERV FS, Inc. – Waterman Facility  
 New Agricultural Chemical Building  
 Containment Calculations – Secondary Containment for Ag Chem Building

**Containment Calculations**



Containment Area	Description	Elevation Change	AutoCAD Area, sq. ft.	Estimated Volume, gal
Zone A	North flat tote storage	100'-0" to 100'-3"	3,295	6,130
Zone B	Unloading spill pad (6/S102)	100'-0" to 100'-3"	1,932	3,610
	Unloading spill pad (6/S102)	99'-8" to 100'-0"	1,932	4,880
	Sump (9/S302)	98'-4" to 99'-8"	1.33	17
Zone C	Center flat tote storage	100'-0" to 100'-3"	2,772	5,180
Zone D1	Chemical tank containment	99'-5" to 99'-9"	1,537	1,190
	Sump (10/S302)	97'-5" to 99'-5"	4	59
Zone D2	Chemical tank containment East & south side slopes	99'-9" to 100'-0"		383
Zone D1 & D2		99'-9" to 100'-3"	1,790	6,650
Zone E	Mix/load spill pad	100'-0" to 100'-3"	5,000	9,350
		99'-8" to 100'-0"	4,524	11,200
	Trench drain: 1'-6" x 89'-0"	98'-10" to 99'-8"	133.5	832
	North side slope	100'-0" to 99'-8"		661

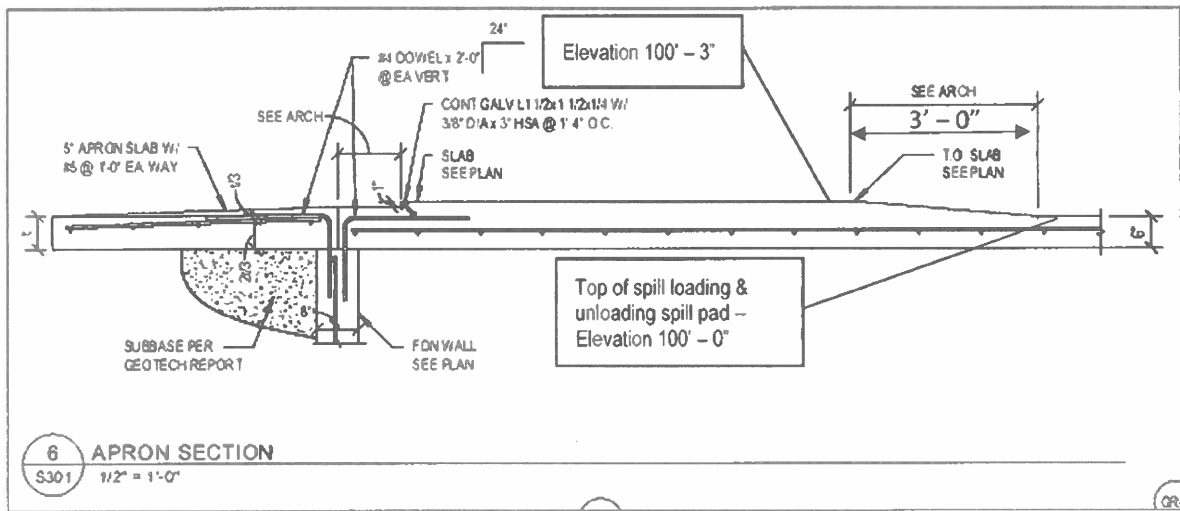
**Zone A: North Flat Storage**

Area, square feet: 3,295  
 Elevation: 100'-0" to 100'-3"  
 Height, in.: 3  
 Volume, cu. ft.: 823  
 Displacement volume for steel column concrete footers:  
 14" x 14" x 3" (2 each): 1,764 cu. in.  
 12" x 14" x 3" (3 each): 1,512 cu. in.  
 14" x 16" x 3" (2 each): 1,344 cu. in.  
 Volume, cu. ft.: 2.67  
 Net Volume, cu. ft.: 820  
**Volume 1: 6,130-gallons**

CONSERV FS, Inc. – Waterman Facility  
 New Agricultural Chemical Building  
 Containment Calculations – Secondary Containment for Ag Chem Building

**Zone B: Chemical Loading/Unloading Spill Pad**

Length: 62'-10" (62.8')  
 Width: 30'-9" (30.75')  
 Sump Length: 1'-4"  
 Sump Width: 1'-0"  
 Top of Slab Elevation: 100'-3" (from drawing S101)  
 Top of Spill Pad Elev.: 100'-0" (see 6/S301 below)  
 Top of Sump Elev.: 99'-8" (from drawing S101)



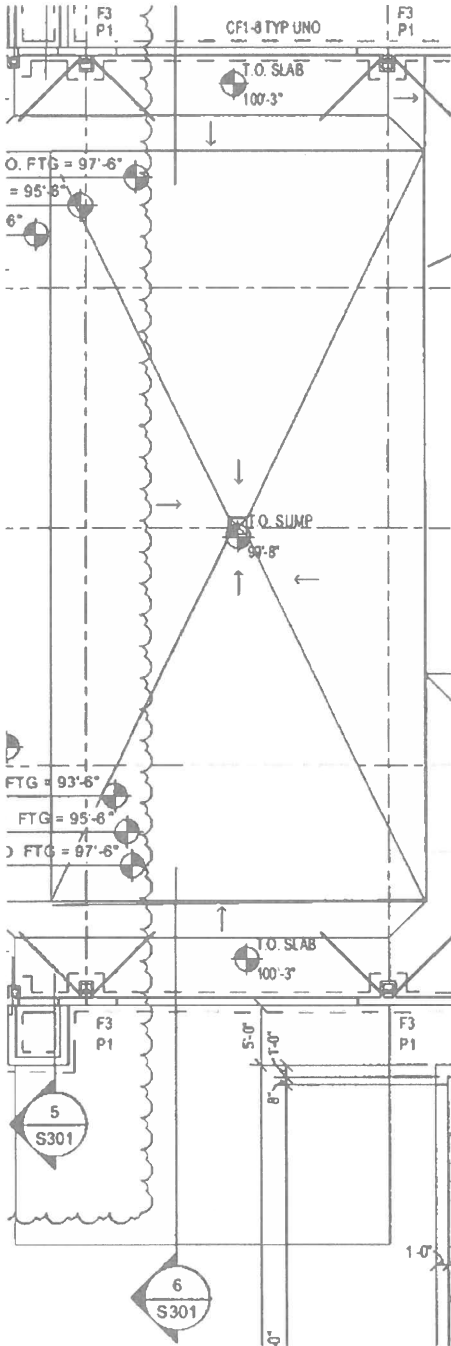
See drawing on page 3.

Area: 1,932 sq. ft.  
 Elevation: 100'-0" to 100'-3"  
 Volume: 483 cu. ft.  
**Volume 3: 3,610-gallons**



CONSERV FS, Inc. – Waterman Facility  
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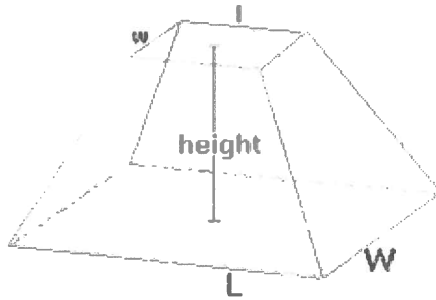
**Zone B: Chemical Loading/Unloading Spill Pad**



Red line outlines the top edge of spill pad which is at a design elevation of 100' - 0" and slopes to center sump with an elevation of 99' - 8". (From building drawing Sheet S101)

CONSERV FS, Inc. – Waterman Facility  
 New Agricultural Chemical Building  
 Containment Calculations – Secondary Containment for Ag Chem Building

**Zone B: Chemical Loading/Unloading Spill Pad**



**Truncated Rectangular Pyramid Volume**

Upper Base Length	<input type="text" value="1.33"/>	#
Upper Base Width	<input type="text" value="1.0"/>	#
Lower Base Length	<input type="text" value="62.8"/>	#
Lower Base Width	<input type="text" value="30.75"/>	#
Height	<input type="text" value="0.33"/>	#
Decimal Precision	<input type="text" value="1"/>	#
<input type="button" value="Calculate"/>		<input type="button" value="Reset"/>

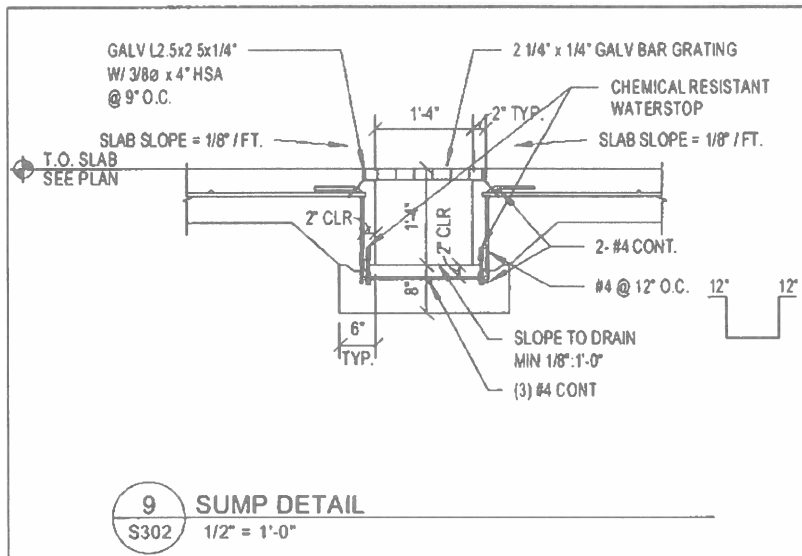
**Results:**

Volume	<input type="text" value="218.3"/>	# <sup>3</sup>
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**Zone B:**

- L = 62.8'
- W = 30.75'
- l = 1' - 0" (1.0')
- w = 1' - 4" (1.33')
- Height: 100'-3" - 99'-8" = 7" (0.583')
- Area of Top = 1,932 ft<sup>2</sup>
- Area of Base = 1.33 ft<sup>2</sup>
- Volume = 653 cubic feet
- Volume 3: = 4,880 gallons**

**Zone B: Sump**



CONSERV FS, Inc. – Waterman Facility  
New Agricultural Chemical Building  
Containment Calculations – Secondary Containment for Ag Chem Building

---

**Zone B: Sump**

L = 1'-4"  
W = 1'-4"  
d = 1'-4" (1.33')  
Volume = 2.35 cubic feet  
**Volume 4: = 17.5 gallons**

---

**Zone C: Center Flat Storage Area**

Dimensions measured with AutoCAD.  
Area: 2,772 sq. ft.  
Volume: 693 cu. ft.  
Displacement volume for steel column concrete footers:  
14" x 16" x 3": 1,344 cu. in.  
Net Volume: 693 cu. ft.  
**Volume 5: 5,180-gallons**

---

**Zone D1: Chemical Storage Tank Containment**

L = 59'-4"  
W = 25.9' x 2 = 51.8' (double width of containment)  
Depth: 99'-9" to 99'-5" = 4"  
l = 2.0' (sump)  
w = 4.0' (double width of sump)

**Truncated Rectangular Pyramid Volume**

Upper Base Length  #  
Upper Base Width  #  
Lower Base Length  #  
Lower Base Width  #  
Height  #  
Decimal Precision  #

**Results:**

Volume  #<sup>3</sup>

Pyramid is cut in two by west wall. Divide truncated rectangular pyramid by 2.  
 $\frac{1}{2}$  Volume of Truncated Rectangular Pyramid =  $320 / 2 = 160$  cu. ft.

**Volume 6: 1,190-gallons**

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CONSERV FS, Inc. – Waterman Facility  
New Agricultural Chemical Building  
Containment Calculations – Secondary Containment for Ag Chem Building

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**Zone D1: Sump**

L = 2'-0"

W = 2'-0"

d = 2'-0"

Volume = 8 cubic feet

**Volume 7: = 59.8 gallons**

---

**Zone D2: Chemical Tank Containment (side slopes)**

Triangle Base: 5'-0"

Triangle Height: 100'-0" to 99'-9" = 3" (0.25')

Cross-Section Area (A): 0.625 sq. ft.

Centroid Distance (d): 81.9 ft.

Volume = A x d: 51.2 cu. ft.

**Volume 8: 383-gallons**

---

**Zone D1 & D2: Overall Area Containment Volume Up to Top of Building Curb**

L = 64'-4" (64.33')

W = 27'-10" (27.83')

Elevation: 99'-9" to 100'-3" (0.5')

Volume: 895 cu. ft.

Displacement volume for steel column concrete footers:

14" x 16" x 6" (2 each): 2,688 cu. in.

Net Volume: 893 cu. ft.

**Volume 9: 6,650-gallons**

---

**Zone E: Spill Pad Mini-Bulk/Truck Filling**

Design Trench Drain

L = 89'-0"

W = 1'-6"

Elevation: 98'-10" to 99'-8" (0.83')

Volume: 111 cu. ft.

**Volume 10: 832-gallons**

Mix/Load Spill Pad

Area (AutoCAD): 4,524 sq. ft.

Elevation: 99'-8" to 100'-0" (0.33 ft.)

Volume: 1,508 cu. ft.

**Volume 11: 11,200-gallons**

Mix/Load Spill Pad

Area (AutoCAD) 5,000 cu. ft.

Elevation: 100'-0" to 100'-3" (0.25 ft.)

Volume: 1,250 cu. ft.

**Volume 12: 9,350-gallons**

CONSERV FS, Inc. – Waterman Facility  
New Agricultural Chemical Building  
Containment Calculations – Secondary Containment for Ag Chem Building

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North Side Slope to Mix/Load Spill Pad  
Cross-Section Area (A): 1.58 sq. ft.  
Centroid Distance (d): 56 ft.  
Volume = A x d: 88.5 cu. ft.  
**Volume 13: 661-gallons**  
**Zone E Total Volume: 22,043-gallons**

---

**Calculating the cost of rinsate disposal without building**

**Waterman Liquid Building**

Sq. Ft. Size of Liquid Building	18,480
Inches of Ave. Annual Rain (20% in Winter & 80% during growing season)	35
Total yearly gallons collected on liquid building operational and secondary containment	403,172
yearly accumulate percipitation during summer	80.00%
Gallons of Rinsate Storage Req.	322,538
cost of 400,000 gal. tank	\$400,000
Cost to Field spread 100% yrly rainfall) (assuming 50 gal. / acre & \$10 /acre	\$80,634 annual cost per year
Cost to spread rinsate over 20 years	\$1,612,688
Total 20 yr. cost to mitigate rinsate w/o buiding	\$2,012,688
Cost of Building	\$900,000
Conclusion	A building covering the operational containment contributes over 200% of its value to pollution control

**Calculating the cost of rinsate disposal without building**

**Waterman Dry Fertilizer Building**

Sq. Ft. Size of Building	11,004
Inches of Ave. Annual Rain (20% in Winter & 80% during growing season)	35
Total yearly gallons collected on dry building operationa containt area =	240,071
yearly accumulate percipitation during summer	80.00%
Gallons of Rinsate Storage Req.	192,056
cost of 250,000 gal. tank	\$250,000
Cost to Field spread 100% yrly rainfall) (assuming 50 gal. / acre & \$10 /acre	\$48,014 annual cost per year
Cost to spread rinsate over 20 years	\$960,282
<b>Total 20 yr. cost to mitigate rinsate w/o buiding</b>	<b>\$1,210,282</b>
<b>Cost of Building</b>	<b>\$1,200,000</b>
<b>Conclusion</b>	<b>A building covering the operational and secondary containment contributes over 100% of its value to pollution control</b>





Attachment

Examples of Previous IEPA Certifications of the Building Covering Liquid Fertilizer Operational Containment Areas and Dry Fertilizer Operational Containment Areas

120-019-1496

**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
2200 Churchill Road  
Springfield, Illinois 62794-9276**

**FINDING AND CERTIFICATION OF WATER POLLUTION CONTROL  
FACILITY PURSUANT TO THE ILLINOIS REVENUE ACT OF 1939**

**Certificate No.: 21RA-ILL-WPC-95-111**

**Log No.: TC-111-95**

**Applicant Name and Address:  
Herein Called "Applicant"  
Northern E. S., Inc.  
315 North 6th Street  
DeKalb, IL 60115-3403**

**Facility Location:  
Herein Called "Location"**

**SW Quarter of Section 19, T40N, R4W of the 3rd P. M.  
in DeKalb County**

**Property ID 09-19-376-002 and 09-19-376-001**

**SE Quarter of Section 16, T38N, R4E of the 3rd P. M. in  
DeKalb County**

**Property ID 14-16-401-002**

**NW Quarter of Section 21, T40N, R3E of the 3rd P. M.  
in DeKalb County**

**Property ID 07-21-100-003**

**SE Quarter of Section 14, T38N, R5E of the 3rd P. M. in  
DeKalb County**

**Property ID 15-13-300-002**

**NW Quarter of Section 25, T42N, R3E of the 3rd P. M.  
in DeKalb County**

**Property ID 01-25-102-001**

**Facility Description:  
Herein called "Facility"**

**Property ID 09-19-376-002 and 09-19-376-001**

*DeKalb*

**Agrichemical containment structures consisting of one liquid agrichemical operational area containment structure; two bulk liquid agrichemical secondary containment structures; one mini-bulk/package agrichemical secondary containment structure; associated collection and recovery systems; five dry fertilizer operational containment structures; and the portion of the building over the operational containment structure for the dry fertilizer blender as approved under the Agency endorsed Agrichemical Facility Permit Nos. 93082359 (Log Nos. 93082359 and 94083010).**

**Property ID 14-16-401-002**

*Waterman*

**Agrichemical containment structures consisting of one liquid agrichemical operational area containment structure; two bulk liquid agrichemical secondary containment structures; the portion of the building over the one liquid agrichemical operational area containment structure, and the two bulk liquid agrichemical secondary containment structures; associated collection and recovery systems; and six dry fertilizer operational containment structures as approved under the Agency endorsed Agrichemical Facility Permit Nos. 92101687 (Log Nos. 92101687 and 94083001).**

WPC 25-111

Page 2  
Log No. TC-111-95

10/19  
Property ID 07-21-100-003 *Marta*  
Agrichemical containment structures consisting of one liquid agrichemical operational area containment structure; two bulk liquid agrichemical secondary containment structures; associated collection and recovery systems; and five dry fertilizer operational containment structures as approved under the Agency endorsed Agrichemical Facility Permit Nos. 92071514 (Log Nos. 92071514, 94083003 and 95103908).

7/4  
Property ID 15-13-300-002 *Henckley*  
Agrichemical containment structures consisting of two liquid agrichemical operational area containment structures; two bulk liquid agrichemical secondary containment structures; associated collection and recovery systems; four dry fertilizer operational containment structures; and the portion of the building over the operational area containment structure for the dry fertilizer blender as approved under the Agency endorsed Agrichemical Facility Permit Nos. 91040426 (Log Nos. 91040426 and 94083015).

7  
Property ID 01-25-102-001 *Kirkland*  
Agrichemical containment structures consisting of one liquid agrichemical operational area containment structure; two bulk liquid agrichemical secondary containment structures; the portion of the building over the one liquid agrichemical operational area containment structure, and one bulk liquid agrichemical secondary containment structure; associated collection and recovery systems; five dry fertilizer operational containment structures; and the portion of the building over the operational area containment structure for the dry fertilizer blender as approved under the Agency endorsed Agrichemical Facility Permit Nos. 92041343 (Log Nos. 92041343 and 94083002).

These facilities collect, transport, and store agrichemical rinsates, agrichemical residues, agrichemical washwaters, and agrichemical spillage prior to reuse or disposal.

**FINDING**

The Illinois Environmental Protection Agency (Agency) finds that the facility has as its primary purpose the elimination, prevention or reduction of water pollution and the treating, pretreating, modifying or disposing of any liquid potential pollutant, which liquid potential pollutant, if released without such treatment, pretreatment, modification or disposal, might be harmful, detrimental or offensive to human, plant, or animal life, or to property.

**CERTIFICATE**

The Agency, based on information submitted to it by the applicant, hereby certifies that the facility is a "pollution control facility" for purposes of the Illinois Revenue Act of 1939.

This certificate may be revoked or modified by the Agency in accordance with Section 21a-6 of the Illinois Revenue Act of 1939.

**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
2200 Churchill Road  
Springfield, Illinois 62794-9276**

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**FINDING AND CERTIFICATION OF WATER POLLUTION CONTROL  
FACILITY PURSUANT TO THE ILLINOIS REVENUE ACT OF 1939**

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**Certificate No.: 21RA-ILL-WPC-95-37**

**Log No.: TC-37-95**

**Applicant Name and Address:  
Herein Called "Applicant"**

**Facility Location:  
Herein Called "Location"**

**Wabash Valley Service Company  
909 North Court Street  
Grayville, Illinois 62844**

**Property ID 07-024-013-00 and 07-024-011-00**

**SW 1/4 of Section 15, T5S, R6E of the 2nd P.M. in  
Hamilton County**

**Property ID 08-028-014-00**

**SE 1/4 of Section 24, T6S, R6E of the 2nd P.M. in  
Hamilton County**

**Property ID 05-014-011-10**

**NW 1/4 of Section 3, T4S, R6E of the 3rd P.M. in  
Hamilton County**

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**Facility Description:  
Herein called "Facility"**

**Property ID 07-024-013-00 and 07-024-011-00**

**Agrichemical containment structures consisting of one dry fertilizer blended with pesticide operational containment structure; the portion of the building over one dry fertilizer blended with pesticide operational containment structure; associated collection and recovery systems; one dry fertilizer operational containment structure; and one dry fertilizer aisleway operational containment structure as approved under the Agency endorsed Agrichemical Facility Permit No. 92071653 (Log No. 92071653).**

**Property ID 08-028-014-00**

**Agrichemical containment structures consisting of two liquid agrichemical operational area containment structures; two dry fertilizer blended with pesticide operational containment structures; two bulk liquid agrichemical secondary containment structures; the portion of the building over two liquid agrichemical operational area containment structures, two dry fertilizer blended with pesticide operational containment structures, and one bulk liquid agrichemical secondary containment structure; associated collection and recovery systems; and two dry fertilizer operational containment structures as approved under the Agency endorsed Agrichemical Facility Permit No. 91040412 (Log Nos. 91040412 and 91080737).**

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**Gove, Darren**

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**From:** Porter, Richard <rporter@hinshawlaw.com>  
**Sent:** Thursday, June 29, 2023 4:43 PM  
**To:** Gove, Darren  
**Cc:** 'Myroth, David (Conserv FS)'; Scobbie, Mark (CONSERV FS); honegger@charter.net; all@bczengineering.com  
**Subject:** [External] Tax Certification for Agrichemical Facilities - Log # TC 147349  
**Attachments:** Conserv signed response to IEPA regarding Pollution Control Permit.pdf; Exhibit A - Conserv FS Dry Fertilizer Waterman 3-17 21.pdf; Exhibit B - Conserv FS Chemical Whse Waterman 5-5-21.pdf; Exhibit C - Greystone Construction - Conserv FS Waterman Letter.pdf; Exhibit D - Waterman Containment Calculations.pdf; Exhibit E - Calculating Cost of Mitigating Rinsate without Building.pdf; Exhibit F - Examples of Previous IEPA Certifications.pdf

Mr. Gove, please find a correspondence and attachments from Conserv FS regarding the above referenced matter. Please acknowledge receipt and let us know if you need anything else. Thank you for your time attention to this matter.

**Richard Porter**  
Hinshaw & Culbertson LLP  
100 Park Avenue, P.O. Box 1389, Rockford, IL 61105  
Tel: 815-490-4920 | Fax: 815-490-4901  
[rporter@hinshawlaw.com](mailto:rporter@hinshawlaw.com) | [hinshawlaw.com](http://hinshawlaw.com)



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## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 · (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

217-782-3362

APR 20 2023

David Swigart  
Conserv FS, Inc.  
1110 McConnell Road  
Woodstock, IL 60098

Re: Conserv FS, Inc. (DeKalb County)  
Tax Certification Program for Livestock Waste Management Facilities  
Log # TC-147349

Dear Applicant:

This Agency received your request for tax certification of pollution control facilities on December 12, 2022. The request is concerning the agrichemical facility near Waterman in DeKalb County. The documents, as submitted, have been reviewed, and based on that review, the application for tax certification is hereby determined to be incomplete. The following items are required for the Agency to process your request for Tax Certification.

1. Concerning the facility's plan diagrams labeled Figure 1, Figure 2, and Figure 3; most of the information contained on the drawings was not legible. Please provide diagrams or section drawings that clearly show the major dimensions for each structure for which tax certification is requested.
2. In the case of all operational containment structures for liquid fertilizer (OC-1, OC-2 and OC-3), there is insufficient evidence provided in the application for the Agency to determine that the roof above these structures has a primary purpose of eliminating, preventing, or reducing air or water pollution, as required for certification under Title 35 Ill. Admin. Code 125.200(a)(1). Regarding operational activities, Title 8 Ill. Admin. Code 255.90(a) states that they "shall be done with a containment system designed to intercept, retain, and recover operational and accidental spillage, leakage, wash water, and agrichemical residues." While a roof may clearly contribute to eliminating, preventing or reducing pollution, its purpose may be more clearly identified or associated with other operational goals or functions, more so than with pollution control. As Part 255 does not mandate the use of a roof above an operational containment structure, a roof may be considered extraneous or unnecessary to meet requirements of Part 255. Therefore, additional information demonstrating how the primary purpose of the roof over these structures is for eliminating, preventing, or reducing pollution is necessary. Please provide additional information as indicated or provide a statement that it is your request to withdraw these structures from consideration.
3. In the case of the secondary containment structures for liquid fertilizer identified as SC-1 and SC-2, there is insufficient evidence provided in the application for the Agency to determine that the concrete floor areas associated with these structures has a primary purpose of eliminating, preventing, or reducing air or water pollution, as required for certification under

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4 500, Chicago, IL 60601

Title 35 Ill. Admin. Code 125.200(a)(1). Consistent with Title 8 Ill. Admin. Code 255.80(a) which states that "All agrichemical non-mobile storage containers for liquid pesticides and liquid fertilizer shall be located within a secondary containment structure.", the application indicates that SC-1 and SC-2 do not require agrichemical permit coverage. While the storage of packaged products in such a location may clearly be more protective of the environment compared to some alternatives, the purpose of storing the packaged products in this location may be more clearly identified or associated with other operational goals or functions, more so than with pollution control. Therefore, additional information demonstrating how the primary purpose of these concrete floor areas are for eliminating, preventing, or reducing pollution is necessary. Please provide additional information as indicated or provide a statement that it is your request to withdraw these structures from consideration.

4. In the case of the operational containment structure for dry fertilizer identified as OC-1, there is insufficient evidence provided in the application for the Agency to determine that the roof above the requested structures have a primary purpose of eliminating, preventing, or reducing air or water pollution, as required for certification under Title 35 Ill. Admin. Code 125.200(a)(1). Regarding operational activities for dry fertilizer, Title 8 Ill. Admin. Code 255.140(c) states that "All loading, unloading, mixing and handling of dry fertilizer, unless performed in the field of application, shall be done using a containment method, device or structure." While a roof may clearly contribute to eliminating, preventing or reducing pollution, its purpose may be more clearly identified or associated with other operational goals or functions, more so than with pollution control. As Part 255 does not mandate the use of a roof above an operational containment structure, a roof may be considered extraneous or unnecessary to meet requirements of Part 255. Therefore, additional information demonstrating how the primary purpose of the roof over these structures is for eliminating, preventing, or reducing pollution is necessary. Please provide additional information as indicated or provide a statement that it is your request to withdraw these structures from consideration.
5. In the case of the operational containment structure for dry fertilizer identified as OC-2, there is insufficient evidence provided in the application for the Agency to determine that the concrete floor area associated with this structure has a primary purpose of eliminating, preventing, or reducing air or water pollution, as required for certification under Title 35 Ill. Admin. Code 125.200(a)(1). Regarding operational activities for dry fertilizer, Title 8 Ill. Admin. Code 255.140(c) states that "All loading, unloading, mixing and handling of dry fertilizer, unless performed in the field of application, shall be done using a containment method, device or structure." While the concrete floor adjacent to the unload sump may clearly contribute to eliminating, preventing or reducing pollution, the concrete floor may perform the primary function (purpose) of facilitating dry fertilizer collection and conveyance whereas the enclosure of the handling area is viewed as having the primary function of pollution control. Therefore, additional information demonstrating how the primary purpose of the concrete floor in this structure is for eliminating, preventing, or reducing pollution is necessary. Please provide additional information as indicated or provide a statement that it is your request to withdraw these structures from consideration.

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Log No. TC-147349

6. In the case of the secondary containment structure for dry fertilizer identified as SC-1, Title 8 Ill. Admin. Code 255.140(b) states that "Nonliquid fertilizers shall be stored inside a sound structure or device having a cover or rooftop, sidewalls and base sufficient to prevent contact with precipitation and surface waters." Based on this requirement, the Agency notes that the portion of the building's roof over the secondary containment structure, associated sidewalls (less any internal dividing walls) and constructed floor may be considered as having a primary purpose of eliminating, preventing, or reducing air or water pollution. An amended application documenting and justifying a request for any items related to the above Agency comment is required if further Agency consideration is desired.
7. Provide the original cost of the pollution control facility

Upon receipt of a satisfactory written reply and supplemental information required, we shall finalize our review of this subject. Your response should be submitted to this office within thirty (30) days. If your response is not submitted to this office within thirty (30) days or a request for extension is not requested within this timeframe, the Agency may proceed with finalizing its final determination without the benefit of your response.

Should you have any questions or comments regarding the content of this letter, please contact me at 217/782-3362 or [darren.gove@illinois.gov](mailto:darren.gove@illinois.gov). Please include the above referenced log number (TC-147349) on all correspondence.

Sincerely



Darren Gove  
Permit Section, Division of Water Pollution Control  
Bureau of Water, Illinois EPA

cc: Records Unit



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 September 27, 2023, the attached **NOTICE**, **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:

Attn: David Swigart  
Conserv FS, Inc.  
1110 McConnel Road  
Woodstock, Illinois 60098

**Copies also provided electronically as follows:**

Illinois Department of Revenue  
via email at REV.PropTaxApp@illinois.gov  
101 West Jefferson  
P.O. Box 19033  
Springfield, Illinois 62794

**[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/ Joshua Leopold  
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)

**Rees, Jeromy**

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**From:** Gove, Darren  
**Sent:** Tuesday, August 29, 2023 8:15 AM  
**To:** Rees, Jeromy  
**Cc:** Roubitchek, Mike  
**Subject:** RE: Tax Cert Conserv FS, Inc. TC-147349

All very good points Jeromy, see my responses below.

**From:** Rees, Jeromy <Jeromy.Rees@Illinois.gov>  
**Sent:** Monday, August 28, 2023 12:46 PM  
**To:** Gove, Darren <Darren.Gove@Illinois.gov>  
**Cc:** Roubitchek, Mike <Mike.Roubitchek@Illinois.gov>  
**Subject:** Tax Cert Conserv FS, Inc. TC-147349

Hi Darren,

I highlighted a structure section on the recommendation, and on page 7 of the application .pdf, I highlighted the measurements. I want to make sure that we aren't to use the second set of measurement for SC-1 as well and if so why (just so I don't bother you with this question again).

Indeed I overlooked the extra dimensions, I'll include them on a replacement memo and let you know later when it is in the folder.

On page 6 of the application .pdf, #1 Note says that the described OC-3 should not be considered in this application as it was previously permitted. Does that mean it should be removed from the recommendation?

The note on page 6 of this [item](#) (added below for clarity) seems to reference another structure that is described on the draft DoA permit and not on the tax cert application. The OC-3 I included on the certification is the structure they list on the tax application addendum and appear to be requesting..

**Note: Another operational area described as OC-3 on the Draft permit**

**AC92101687 is not a structure that is included in this certification application. As noted on the draft permit it is a structure previously permitted on permit #AC95043656. This described OC-3 should not be considered in this certification application.**

Lastly, just to make sure this doesn't get kicked back to us from PCB, you have "and the portion of the building over this operational containment structure" after each facility description. Is this part of the build that just gets included in the cert without justification? Sorry for all the questions, this one just isn't as smooth an normal.

This was a concern with the application and was the topic of a review letter that I sent to them. Initially the justification for the allowance was because the Agency had allowed it before. While that is apparently true, they eventually settled on more sound basis which was that the existing structures would not satisfy the containment requirements for freeboard capacity for structures exposed to precipitation. Given that their calculations were clear and supportive of their argument that the roof has a primary purpose of pollution control, I decided that the portion of roof over those structures was a justified allowance. My notes have a section called "Response to AIR" that discusses this which I think should be enough evidence for the Board.

Thanks,

Jeromy