BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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Sunrise FS - Virginia (Property Identification Number 11-002-007-01)

PCB No. 25 -(Tax Certification)

NOTICE

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS</u> ENVIRONMENTAL PROTECTION AGENCY, copies of which are herewith served upon you.

Sunrise FS - Virginia Glenda Postin 20735 IL Hwy 125 P.O. Box 108 Virginia, Illinois 62691

Don Brown, Clerk Illinois Pollution Control Board 60 East Van Buren, Suite 630 Chicago, Illinois 60605

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

la lung By:

Gabrel Neibergall Assistant Counsel Division of Legal Counsel

DATED: November 20, 2024

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

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Sunrise FS - Virginia (Property Identification Number 11-002-007-01)

PCB No. 25-(Tax Certification)

APPEARANCE

The undersigned, as one of its attorneys, hereby enters an <u>APPEARANCE</u> on behalf of Respondent, Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

du Upl Bv:

Gabriel Neibergall Assistant Counsel Division of Legal Counsel

DATED: November 20, 2024

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

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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Sunrise FS - Virginia (Property Identification Number 11-002-007-01)

PCB No. 25-(Tax Certification)

<u>RECOMMENDATION OF THE ILLINOIS</u> <u>ENVIRONMENTAL PROTECTION AGENCY</u>

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

 On December 18, 2023, the Illinois EPA received a request from Sunrise FS - Virginia (Log number TC-151295, 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:	Sunrise FS - Virginia
		20259 Gridley Road
		Virginia, Illinois 62691

The proposed water pollution control facilities in this request are located in the

Section 2, T17N, R10W of the 3rd P.M. in Cass County, at the above street address and

consist of the following agrichemical containment structures:

Liquid Agrichemicals

A reinforced concrete operational containment structure [OC-1] measuring 136 ft. (length) x 76 ft. (width) x 1 ft. (depth) and the portion of the building over this operational containment structure. Unloading and washing of bulk liquid agrichemical transportation and application equipment and mixing of agrichemicals are performed upon this structure.

A reinforced concrete secondary containment structure [SC-1] measuring 35 ft. (width) x 76 ft. (length) x 3 ft. (height) with a total capacity of 7, 980 cu. ft. (located in operational containment area [OC-1]). Bulk liquid pesticides are stored within this containment area.

A reinforced concrete secondary containment structure [SC-2] measuring 34 ft. (width) x 54 ft. (length) x 4 ft. (height) with a total capacity of 7, 344 cu. ft. Bulk liquid fertilizers are stored within this containment area.

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A reinforced concrete secondary containment structure (located within the warehouse used for storing mini-bulk chemicals) measuring 50 ft. (width) x 80 ft. (length) x 4 in. (height) and the portion of the building covering this secondary containment structure. Mini-bulk and other packaged liquid and dry agrichemicals are stored within this containment area. This containment structure is not called out in the agrichemical permit but is designed to comply with the requirements of Section 255.80 b) (2) and d) (1).

Dry Agrichemicals

A concrete operational containment structure measuring 50 ft. (width) x 80 ft. (length). The blending of bulk dry fertilizer and loading of bulk dry fertilizer transportation and application equipment is performed upon this structure.

A concrete operational containment structure measuring 26 ft. (width) x 128 ft. (length). The end loader transfer of bulk dry fertilizer between storage and the blender is conducted upon this structure.

A reinforced concrete operational containment structure measuring 14 ft. (width) x 27 ft. (length). The unloading of bulk dry fertilizer transportation and application equipment is performed upon this structure.

The dry fertilizer storage portion of the dry fertilizer building measuring 68 ft. (width) x 128 ft. (length). The primary purpose of this portion of the building is to cover the dry fertilizer and prevent contact with precipitation and surface water as required in Section 255.140 of the Illinois Administrative Code.

These agrichemical facilities collect, store, or prevent the comingling of precipitation with

agrichemical rinsates, resides, or washwaters prior to reuse or disposal as approved under

the Agency endorsed Agrichemcial Facility Permit No. AC93032089 (Log No. 20103263

issued on December 8, 2020) and prevent stormwater runoff from agrichemical affected

areas.

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.

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- 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: Aden regel

Gabriel Neibergall Assistant Counsel Division of Legal Counsel

Dated: November 20, 2024

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

THIS FILING SUBMITTED ON RECYCLED PAPER



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

 JB PRITZKER, GOVERNOR

 JAMES JENNINGS, ACTING 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

Date: OCT 1 6 2024

Re: Sunrise FS - Virginia Recommendation of Tax Certification Log No.: TC-151295 BOW ID No.: W0178100002 Property Index Number: 11-002-007-01

The Bureau of Water received a request on December 18, 2023 from Sunrise FS, having a principal place of business at 20735 IL Hwy 125, PO Box 108, Virginia, IL 62691, 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:

Sunrise FS 20259 Gridley Road Virginia, IL 62691

Section 2, Township 17N, Range 10W of the 3rd PM in Cass County.

Agrichemical containment facilities consisting of:

Liquid Agrichemicals:

A reinforced concrete operational containment structure [OC-1] measuring 136 ft. (length) x 76 ft. (width) x 1 ft. (depth) and the portion of the building over this operational containment structure. Unloading and washing of bulk liquid agrichemical transportation and application equipment and mixing of agrichemicals are performed upon this structure.

A reinforced concrete secondary containment structure [SC-1] measuring 35 ft. (width) x 76 ft. (length) x 3 ft. (height) with a total capacity of 7, 980 cu. ft. (located in operational containment area [OC-1]). Bulk liquid pesticides are stored within this containment area.

A reinforced concrete secondary containment structure [SC-2] measuring 34 ft. (width) x 54 ft. (length) x 4 ft. (height) with a total capacity of 7, 344 cu. ft. Bulk liquid fertilizers are stored within this containment area.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800 115 S. LaSalle Street, Suite 2203, Chicago, IL 60603 1101 Eastport Plaza Dr., Suite 100, 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

PLEASE PRINT ON RECYCLED PAPER

Page No. 1 Tax Certification Recommendation Log No. TC-151295

> A reinforced concrete secondary containment structure (located within the warehouse used for storing minibulk chemicals) measuring 50 ft. (width) x 80 ft. (length) x 4 in. (height) and the portion of the building covering this secondary containment structure. Mini-bulk and other packaged liquid and dry agrichemicals are stored within this containment area. This containment structure is not called out in the agrichemical permit but is designed to comply with the requirements of Section 255.80 b) (2) and d) (1).

Dry Agrichemicals:

A concrete operational containment structure measuring 50 ft. (width) x 80 ft. (length). The blending of bulk dry fertilizer and loading of bulk dry fertilizer transportation and application equipment is performed upon this structure.

A concrete operational containment structure measuring 26 ft. (width) x 128 ft. (length). The end loader transfer of bulk dry fertilizer between storage and the blender is conducted upon this structure.

A reinforced concrete operational containment structure measuring 14 ft. (width) x 27 ft. (length). The unloading of bulk dry fertilizer transportation and application equipment is performed upon this structure.

The dry fertilizer storage portion of the dry fertilizer building measuring 68 ft. (width) x 128 ft. (length). The primary purpose of this portion of the building is to cover the dry fertilizer and prevent contact with precipitation and surface water as required in Section 255.140 of the Illinois Administrative Code.

These agrichemical facilities collect, store, or prevent the comingling of precipitation with agrichemical rinsates, resides, or washwaters prior to reuse or disposal as approved under the Agency endorsed Agrichemical Facility Permit No. AC93032089 (Log No. 20103263 issued on December 8, 2020) and prevent stormwater runoff from agrichemical affected areas.

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 Stephanie Burge-Bollero at 217/557-8666.

SAB:TC-151295_Tax Cert Recommendation_23Sept2.docx

cc: Tax Cert File

Illinois EPA - Bureau of Water - Division of Pollution Control Title 35 Subtitle A Part 125 Tax Certifications Illinois EPA Review Notes for: Agency Recommendation of Pollution Control Facilities.

BOW ID #: W0178100002	
Project Name: Sunrise FS - Virginia	Pollution Control Facility Type: Agrichemical Facility
Date application received: December 18, 2023	Property ID: 11-002-007-01
Reviewer: SAB	Applicant: Sunrise FS
Log number:TC-151295	Jim Meinhart, General Manager 20735 IL Hwy 125 PO Box 108 Virginia, IL 62691
Legal Description: Section: 2, Twp: 17N, Range:	
10W of 3 rd PM	Facility: Sunrise FS 20259 Gridley Road
County: Cass	Virginia, IL 62691
Facility Contact: Glenda Postin, Controller 20735 IL Hwy 125	Date Control Devices installed: March 2022
Virginia, IL 62691	Application Signature by: Jim Meinhart
Phone : 217/452-3931	Title: Manager

Contents of Application: Application for Certification (Property Tax Treatment) Pollution Control Facility, Facility diagrams/drawings, Agrichemical Facility Permit

Is there a pollutant control flow diagram? Choose an item. N/A

Is there sufficient diagrams showing the pollution control facilities? Yes

This facility generates the following pollutants and prevents their discharge as indicated: Bulk agrichemical fertilizer and or pesticide rinsate and spillage is recylced at the facility and/or land applied to crop land.

Physical description of pollution control facilities that ARE recommended:

Liquid Agrichemicals:

A reinforced concrete operational containment structure [OC-1] measuring 136 ft. (length) x 76 ft. (width) x 1 ft. (depth) and the portion of the building over this operational containment structure. Unloading and washing of bulk liquid agrichemical transportation and application equipment and mixing of agrichemicals are performed upon this structure.

A reinforced concrete secondary containment structure [SC-1] measuring 35 ft. (width) x 76 ft. (length) x 3 ft. (height) with a total capacity of 7, 980 cu. ft. (located in operational containment area [OC-1]). Bulk liquid pesticides are stored within this containment area.

Illinois EPA Log #: TC-151295 Page 2 of 2

A reinforced concrete secondary containment structure [SC-2] measuring 34 ft. (width) x 54 ft. (length) x 4 ft. (height) with a total capacity of 7, 344 cu. ft. Bulk liquid fertilizers are stored within this containment area.

A reinforced concrete secondary containment structure (located within the warehouse used for storing mini-bulk chemicals) measuring 50 ft. (width) x 80 ft. (length) x 4 in. (height) and the portion of the building covering this secondary containment structure. Mini-bulk and other packaged liquid and dry agrichemicals are stored within this containment area. This containment structure is not called out in the agrichemical permit but is designed to comply with the requirements of Section 255.80 b) (2) and d) (1).

Dry Agrichemicals:

A concrete operational containment structure measuring 50 ft. (width) x 80 ft. (length). The blending of bulk dry fertilizer and loading of bulk dry fertilizer transportation and application equipment is performed upon this structure.

A concrete operational containment structure measuring 26 ft. (width) x 128 ft. (length). The end loader transfer of bulk dry fertilizer between storage and the blender is conducted upon this structure.

A reinforced concrete operational containment structure measuring 14 ft. (width) x 27 ft. (length). The unloading of bulk dry fertilizer transportation and application equipment is performed upon this structure.

The dry fertilizer storage portion of the dry fertilizer building measuring 68 ft. (width) x 128 ft. (length). The primary purpose of this portion of the building is to cover the dry fertilizer and prevent contact with precipitation and surface water as required in Section 255.140 of the Illinois Administrative Code.

Notes:

SC-1 located within OC-1 described dimensions of the building. Designed to contain the largest tank leak that may occur within its perimeter.

A portion of the curbed and covered agrichemical containment warehouse not called out in agrichemical permit qualifies for certification as a secondary containment structure. A 50 ft. (length) x 80 ft. (width) x 4 in. (height) is used to store mini-bulk and smaller dry and liquid packaged agrichemicals. The building covering the containment area is designed to comply with Section 255.80 b) (2) and d) (1).

Nothing follows - SAB - (October 3, 2024)



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 1927	76 • Springfield • Illinois • 62794-9276 • (217) 782-3397
Application for Certifica Pollution	ation (Property Tax Treatment)
[For Agency Use Only
File	e Number: Date Rec'd:
Facility Type (check one):	prtification Number: Date:
This form is to be used for any application for certification of proper EPA. Separate applications must be completed for each pollution of listed below. Do not mix types (air and water). Where both air and water)	erty tax treatment for a pollution control facility for air or water from the Illinois control facility claimed. Send the application only to the appropriate address water operations are related, send applications to each of the addresses.
If attachments are needed, record them consecutively on an index	c sheet.
Note: This form should be completed within Acrobat before being s	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 I. Applicant Information	Water: Illinois EPA Attention: Darin LeCrone, Permit Section Bureau of Water 1021 North Grand Avenue East, P.O. Box 19276 Springfield, IL 62794-9276
Company Name: Sunrise FS	
Person Authorized to Receive Certification	Person to Contact for Additional Information
Name: Jim Meinhart, General Manager	Name: Glenda Postin, controller
Street Addr: 20735 IL Hwy 125 PO Box 108	Street Addr: 20735 IL Hwy 125 PO Box 108
City: Virginia State: IL	City: Virginia State: IL
ZIP: 62691 Phone: 217/452-3931	ZIP: 62691 Phone: 217452-3931
Email:	Email: gpostin@sunrise_fs.com
II. Facility Information	DECEIVE
Facility Location: Quarter Section: S2 Townshin:	T17 Bange: B10W
Municipality: Virginia	ownshin: Virginia
Note: A plat map location is requested for facilities located or	witside of municipal boundaries
Address: 20259 Gridley Road	City: Virginia BOW/WPC/PERMIT SECTION
State: II Zip Code: 62691 County:Case	Book Number:
Property Index Number: 11-002-007-01	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	
Loading, unloading, and storage of liquid and dry fertilizer an	nd agrichemicals
Permit Information	
WPC Construction Permit Number: AC0173040000	Date Issued: Dec 8, 2020
NPDES Permit Number:	Date Issued: Evo Date
APC Construction Permit Number:	Date Issued:
APC Operating Permit Number:	Date Issued: Evo Date:
Note: Submit copies of all relevant permits issued by local po	ollution control agencies (e.g. MSD Construction Remit)
This Agency is authorized to request this information under 415 ILCS 5/4(b), failure to provide the information. However, the absence of the information of application. IL 532-0222 Application for Certification (Property))(2012). Disclosure of this information is voluntary and no penalties will result from the could prevent your application from being processed or could result in denial of your

Application for Certification (Property Tax Treatment) Pollution Control Facility

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

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 Administration 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 Products	Reduce, Recycle, Reuse

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

IL 532-0222 APC 151 Rev. 5/2021

Application for Certification (Property Tax Treatment) Pollution Control Facility

Identify the location of the discharge to the receiving stream. This will typically refer to a source of water pollution but can include

Plans and Specifications Attached: ② Yes ③ 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 residuee) collected by the control facility? ② Yes ③ 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 Statue
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; April, 2022
Liquid Fertilizer and Chemical Facility; April, 2022

Status of installation on date of application Operational

Point(s) of Waste Water Discharge

water-carried wastes from air pollution control facilities.

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.

Jim Meinhart

Printed Name ijan Ma Signature

General Manager

12-13 -[]

Title

Application for Certification (Property Tax Treatment) Pollution Control Facility

Page 3 of 3

Document Index

Sunrise FS (Virginia)

Liquid and Fertilizer Facility

- 1) Application (3 pages)
- 2) Document Index (1 page)
- 3) Addendum to Application (21 pages)

Liquid Fertilizer Improvements Qualifying for Certification: Virginia Facility

This addendum will:

- 1) Illustrate by picture the building improvements that are included in this application. The improvements are described in the Agrichemical Containment Permit AC93032089 Log #20103263 for the Sunrise FS Virginia Facility. (Exhibit A)
- 2) Provide the evidence to show that the primary purpose of each of these building improvemnts satisfies the requirement that their primary purpose is for pollution containment and control.



View of Dry Fertilizer improvements on the Left and the Liquid Fertilizer Improvements on the Right

Figure 1

2



Figure 1 View of the two, truck loading and unloading bays (Part of OC-1)

Figure 2



View of operational containment area of the building devoted to the dispensing if mini-bulk agrichemical containers (Part of OC-1)

Figure 3



Floor Plan area designations of Virginia Agrichemical Containment Permit #AC93032089 Log#20103263

Figure 4

4



View of the mini-bulk dispensing and holding area (Part of OC-1)

Figure 5

In the background, behind the stacked mini-bulk containers, is the (35' x 76' x 3') secondary containment identified as SC-1 of the Virginia Facility Agrichemical Facility Permit # AC93032089 Log # 20103263.

Evidence Supporting the certification of the liquid fertilizer building

Agrichemical Facility Permit #AC93032089 issued December 8, 2020 (Exhibit A) calls out one operational containment structure measuring 136' x 76' as OC-1. This measurement includes the entire area within the building. Within the building are two trucks bays (area at the top of figure 4 within the area marked in red) where trucks load and unload agrichemicals and liquid fertilizer on a concrete containment area. This containment area is curbed with a 12" curb along the exterior walls and sloped ramps at the truck bay door openings. This curbed area facilitates the collection and recovery of all escaped product. The containment in the two truck bays is an operational containment area as defined under 8 Illinois Administrative Code, Title 8: Chapter I: Subchapter i: Part 255: Section: 255.90.

The remainder of OC-1, excluding the two truck bays at the top of figure 4 and described above, is an operational area used for the mixing and dispensing agrichemicals and for the metering and storage of mini bulk containers.

The area labeled SC-1 in the agrichemical permit sited above is situated within the OC-1 described dimensions of the building. SC-1 is outlined with a blue line in figure 4. SC-1 has a design capacity of 7,980 cubic feet. SC-1 is designed to contain the largest tank leak that may occur within its perimeter.

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." OC-1 meets this requirement with its 12" containment depth even though the requirement isn't required because OC-1 is covered with a building.

If uncovered, however, the OC-1 and SC-1 operational and secondary containment areas along with any associated collection and recovery systems would have to accommodate the accumulated yearly rainfall that would be collected if exposed to the elements.

The following table illustrates the volume of yearly rainfall that would accumulate with one year of average rain in Cass County : The average yearly precipitation in Cass County from May 2022 to April 2023 was <u>38.5</u>" according to the National Centers for Environmental Information.

Liquid Containment Area	Containment Square Foot Area	Volume needed to collect 38.5" of yearly rain
OC-1 & SC-1	10,336 (136' x 76')	10,336 x (38.5 /12) x 7.48 = 248,047 gallons

The building covering the containment areas is an integral part of the engineered design components that are necessary to mitigate rain water runoff. For example, if the two containment structures (0C-1 & SC-1)were open to the elements the total yearly rainfall that would accumulate on OC-1 and SC-1 during a one-year period would be 38.5 inches in Cass County Illinois. Without the building covering, this accumulated water would otherwise

have to be stored in a tank until such time that it could be emptied by field spraying on fallow or bare ground during the months when no crops were present. The table below illustrates that if the operational and secondary containment located within the liquid building at Virginia were not covered by a roof, the total yearly cost to

Calculating the cost of rinsate disposal without building			
Virginia Liquid Building Operational and Secondary Containment Areas			
	-		
Sq. Ft. Size of Dry Building Operational Area		10,336	
Inches of Ave. Annual Rain (20% in Winter & 80	% during growing season)	38.5	
Total yearly gallons collected on liquid builidng o	perational and secondary conta	248,047	
yearly accumulate percipitation during summer		80.00%	
Gallons of Rinsate Storage Req.		198,437	
Cost to Field spread 100% yrly rainfall)	assuming 50 gal. / acre x \$10 /a	\$49,609	annual cost/ year
cost of 250,000 gal. tank		\$250,000	
Cost to spread rinsate over 20 years		\$992,187	
Total 20 yr. cost to mitigate rinsate w/o buiding		\$1,242,187	
Cost of Building @\$40/SF		\$413,440	
Conclusion	A building covering the operatio	nal containr	nent
	contributes over 200% of its val	ue to pollutio	on control

mitigate the collected rinsate by spraying it on fallow or bare ground would be \$49,609. The 20-year cost including a holding tank would be \$1,242,187. The cost of the building is contributing over 2 times its cost value to pollution control. Therefore, it is concluded that a building over this large operational and secondary containment area is the most efficient, cost effective and surest method of mitigating foreseen and unforeseen ground water contamination from residue runoff. It is further concluded that the primary purpose of the roof covering the operational and secondary containment areas of the subject liquid fertilizer loadout, mixing and storage building is for eliminating, preventing, or reducing pollution.

The subject's building covering the operational and secondary containment structures (OC-1 and SC-1) qualifies as a containment system referenced in Title 8 Ill. Admin Code 255.90 (a) because it is integral to the overall integrity of the collection system.

Evidence Supporting the Certification of the Outside Concrete Fertilizer Storage Containment



Figure 6

View of outside concrete containment measuring 34' x 54' x 4' described in the Virginia Agrichemical as Containment Permit #AC93032089 marked as SC-2 (yellow outline) in <u>Figure 4</u>.

The concrete containment has a capacity of 55,000 gallons which meets the requirement of Section 255.80 of needing to hold a minimum of 25,000 gallons which is the capacity of the largest tank within the containment.

Evidence Supporting the certification of the portion of the warehouse storing mini-bulk chemicals – Virginia Facility

A Portion of the curbed and covered agrichemical containment warehouse qualifies for certification. Note: this building is not called out in the Virginia Agrichemical Containment Permit but qualifies for certification.



Figure 7

The left Side of the above building (50' x 80") qualifies for certification as a secondary containment improvement.



50' x 80' section of warehouse is used to store mini-bulk and smaller dry and liquid packaged agrichemicals

Figure 8



Figure 9

Picture showing curbed containment



Floor Diagram of Warehouse with 50' x 80' area on the left that has a 4" curbed permitter. This area is heated and is used to store mini-bulk and other packaged liquid and dry agrichemicals. The remainder of the building not included in this certification also has raised curbing and sloped ramps to exit doors but is not used to store

mini-bulk chemicals and is not included in this application for certification.

Warehouse (cont.)

The building covering the portion of the subject warehouse is an integral part of the pollution containment system. The building has a 4" concrete curb to contain any packaged spills. The building covering the containment area is designed to comply with Section 255.80 b) (2) and d) (1).

The containment collection area will not withstand the required 6" rains storm. Therefore, the building covering the containment area is integral to the integrity of the system. It is therefore concluded that the primary purpose of the building covering the containment area is for pollution control.

Evidence Supporting the certification of the dry fertilizer storage and dry fertilizer operational areas- Virginia Facility



Exterior View of the Dry Fertilizer Improvements Qualifying for Certification

Figure 11



Exterior View of Dry Fertilizer Building

Figure 12



Inside Building View of Blending and Truck Loading Area Figure 13





Figure 14



Dry Fertilizer Flow Diagram

Figure 15

Dry Fertilizer Storage Portion of the Dry Building:

• The 68' x 128' area (outlined in red in figure 14) of the dry fertilizer building is devoted to the storage of dry fertilizer. Section 255.140 of the Illinois Administrative Code states that "Nonliquid fertilizers shall be stored inside a sound structure to prevent contact with precipitation and surface water." This code requirement is the primary binder which requires dry fertilizer to be stored under cover to protect it from the elements so as to prevent contact with precipitation and wind to prevent pollution by minimizing losses to the air, surface, water or subsoil.

It is concluded that since the Section 255.140 of the Illinois Administrative Code requires dry fertilizer to be stored within a structure, the primary purpose of the building covering the storage portion of the dry fertilizer building must be considered as a pollution control device and thereby qualifies for certification as a pollution control device.

Dry Fertilizer Operational Areas of the Dry Building:

 There are three operational areas within the dry building that are called out in the Virginia Agrichemical Containment Permit. One operational area, outlined in blue in figure 14, measures 26' x 128' (3,328 SF). This area is used as the end loader transfer of the dry fertilizer from the storage bins to the blender. The second operational area is outlined in green and measures 50' x 80' (4,000 SF). This area is for the blending of the dry fertilizer and the loading of the blended dry fertilizer into transport and application equipment. The third operational area called out in the building permit as a 14' x 27' structure and depicted in purple figure 14 is an exterior, uncovered concrete pad at the corner of the dry building where transport trucks unload dry fertilizer into a covered conveyor to fill the dry fertilizer building.

Section 255.140 c) 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"

Section 255.140 d) states, "Containment devices or structures may include, but are not limited to, the following methods:

3) "Enclosing handling area."

The approximate cost of enclosing the operational areas with a building structure would be in the range of \$75 per square foot. The total size of the operational handling area is 7,328 square feet (excluding the outside 14' x 27' concrete truck unloading pad). The cost of enclosing the two operational handling areas is approximately \$550,000.

If there was no building covering the handling area Section 255.140 d) states: "Containment, devices may include, but not limited to, the following methods:

(1)"Paving and curbing of outdoor handling areas with materials that allow for collection and recycle or reuse of storm water, and that are sealed or otherwise maintained to provide a rate of permeability not to exceed 1 x 10(-6) centimeters per second".

If the loader and blending dry fertilizer operational areas were uncovered, however, the operational containment areas along with any associated collection and recovery systems would have to accommodate the accumulated yearly rainfall that would be collected if exposed to the elements.

The following table illustrates the volume of yearly rainfall that would accumulate with one year of average rain in Cass County : The average yearly precipitation in Cass County from May 2022 to April 2023 was <u>38.5</u>" according to the National Centers for Environmental Information.

Virginia Dry Fertilizer Building Operational Arc	eas		
Sq. Ft. Size of Dry Building Operational Area		7,328	
Inches of Ave. Annual Rain (20% in Winter & 80% during growing season)		38.5	
Total yearly gallons collected on liquid builidng operational and secondary conta		175,860	
yearly accumulate percipitation during summer		80.00%	
Gallons of Rinsate Storage Req.		140,688	
Cost to Field spread 100% yrly rainfall)	assuming 50 gal. / acrex \$10 /acre	\$35,172	annual cost/ year
cost of 150,000 gal. tank	ĺ	\$150,000	
Cost to spread rinsate over 20 years		\$703,439	
Total 20 yr. cost to mitigate rinsate w/o buiding		\$853,439	
Cost of Building @\$75/SF		\$549,600	
Conclusion	A building covering the operatio	nal containr	nent
	contributes over100% of its value	le to pollutio	n control

The building covering the containment areas is an integral part of the engineered design components that are necessary to mitigate rain water runoff. For example, if the two containment structures were open to the elements the total yearly rainfall that would accumulate during a one-year period would be 38.5 inches in Cass County Illinois. Without the building covering, this accumulated water would otherwise have to be stored in a tank until such time that it could be emptied by field spraying on fallow or bare ground during the months when no crops were present.

The table above illustrates that if the operational containment located within the dry building at Virginia were not covered by a roof, the total yearly cost to mitigate the collected rinsate by spraying it on fallow or bare ground would be \$35,172. The 20-year spraying cost including a holding tank would be \$703,439. The cost of the building is contributing over 100% of its cost value to pollution control. Therefore, it is concluded that a building over this large operational containment area is the most efficient, cost effective and surest method of mitigating foreseen and unforeseen ground water contamination from residue runoff. It is further concluded that the primary purpose of the roof covering the operational containment areas of the subject dry fertilizer loader transfer area and the loadout and mixing area of the building is for eliminating, preventing, or reducing pollution. Therefore, the subject's building covering the operational containment portion of the dry fertilizer building described above qualifies as a containment system referenced in Title 8 Ill. Admin Code 255.140 (a) because it is integral to the overall integrity of the collection system.

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Exhibit A

Virginia Agrichemical Containment Permit



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

10/7/2040

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINDIS 62794-9276 · (217) 782-3397 JB PRITZKER, GOVERNOR JOHN J. KIM, DIRECTOR

217/782-0610

January 4, 2023

Bureau of Environmental Programs Illinois Department of Agriculture State Fairgrounds Post Office Box 19281 Springfield, Illinois 62794-9281



Donc

Dept. of Agriculture Bur. of Environmental Programs

Re: Sunrise FS – Virginia -- Endorsement of Agrichemical Facility Permit Log No. 20103263 Bureau ID# W0170250003 Renewal

Gentlemen:

Based on the information included in the permit application, the subject facility may be constructed and operated so as to meet the requirements of Subtitle C: Water Pollution and Subtitle B: Air Pollution.

This Agency hereby issues endorsement pursuant to Section 39.4 of the Illinois Environmental Protection Act for the subject agrichemical facility subject to the following additional Special Conditions:

SPECIAL CONDITION No. 1: Reduced pressure principle backflow preventers shall be installed, maintained, tested and inspected in accordance with 35 Ill. Adm. Code 651 and 653.

SPECIAL CONDITION No. 2: Any discharge of stormwater from the containment facilities shall not cause water quality violations pursuant to 35 Ill. Adm. Code, Subtitle C or a pesticide release pursuant to the Illinois Environmental Protection Act. Stormwater analyses conducted for determination of compliance with this condition shall be performed in accordance with analytical procedures specified in 40 CFR 136.

SPECIAL CONDITION No. 3: No person shall cause or allow any visible emissions of fugitive particulate matter from any process, including any material handling or storage activity beyond the property line of the emission source, pursuant to 35 Ill. Adm. Code 212.301.

SPECIAL CONDITION No. 4: The blending of pesticides onto dry fertilizer is not allowed at this facility. A revised operating permit will be required before the blending of pesticides

2125 S. First Street, Champalgn, H. 61820 (217) 278-5800 1101 Eastport Plaza Dr., Suite 100, Collinsville, II. 62234 (618) 346-5120 9511 Harrison Street, Des Plaines, II. 66016 (847) 294-4000 595 S. State Street, Elgin, II. 60123 (847) 608-3131

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

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can be added to this process.

SPECIAL CONDITION No. 5: Tanks containing agrichemical or agrichemical residues shall not be loaded with water outside of operational area containment structures.

SECIAL CONDITION No. 6: Points of use of the water distribution system shall not be used for agrichemical related purposes without proper backflow protection.

Special conditions in the general endorsements for previous agrichemical facility permit modifications for this facility will remain valid for the subject permit modifications regardless of subsequent modification, renewal or expiration of the general endorsements.

This endorsement becomes effective and is deemed to be a permit issued by the Agency pursuant to Sections 9(b) and 12(b) of the Act when the Illinois Department of Agriculture includes the above conditions as conditions of a permit issued pursuant to Section 255.50 of Subchapter i, Chapter I of Title 8: Agriculture and Animals.

This endorsement does not grant immunity from enforcement action found necessary by this Agency to meet its responsibilities in prevention, abatement, and control of water or air pollution.

Sincerely

Darin E. LeCrone, P.E. Manager, Permit Section Division of Water Pollution Control

lan Fuis

William D. Marr Manager, Permit Section Bureau of Air

DEL:WH\TEMPLATE_Agchem Endorsement.docx

cc: Region 5 - Springfield Records Unit DAPC/Permits DAPC/Region 2 - Peoria (Cass County)



State of Illinois Department of Agriculture AGRICHEMICAL CONTAINMENT PERMIT All bulk dry fertilizer shall be stored within the herein permitted structures. Operation of an existing reinforced concrete operational containment structure measuring 50' (width) x 80' (length). The blending of bulk dry fartilizer and loading of bulk dry fartilizer transportation and application equipment shall be performed upon the horses permitted structure. Operation of an existing reinforced consecte operational containing of structure measuring 26' (width) x 128' (length). The end loader transfer of bulk dry fatalizer between storage and the blender shall be located upon the herein permitted structure. Operation of an existing reinforced concrete operational containing stucture measuring 14' (width) x 27' (length). The unloading of bulk dry feralline was portation and application segment shall be performed upon the herein permitted structure. There shall be no discharge of west swater from the ascon permitted tachbes. This permit has been reviewed and approved by the Illinois Environmental Protection Agency por the attached permit endorsement. This permit is subject to standard conductors on the reverse side of this document and the following special conditions: the following special conditions, 1. The permittee shall provide backflow protection in accordance with SPECIAL CONDITION 1 the Illinois Department of Public Health Plumbing Code (77/11: Adm. Code 890) and the Illinois Environmental Protection Agency's Technical Policy Statement (35 Th. Adm. Code 653.803(c)(4). SPECIAL CONDITION 2: The permittee may discharge accumulated precipitation from the herein permitted bulk liquid fertilizer secondary containment structure (SC-2) pursuant to 8 Illinois Administrative Code 255.110 (a) (2) (A) and (B). SPECIAL CONDITION 3 The permittee shall operate the exposed dry fertilizer operations pursuant to 8 Illinois Administrative Code 255.149 (a), (c) and (d). SPECIAL CONDITION 4: The permittee shall enploy concentric signing for the piping span from the bulk liquid fertilizer secondary containment structure (SC 2) 16 the operational containment structure. THE STANDARD CONDITIONS OF ISSUANCE ON THE REVERSE SIDES OF THIS MUST BE COMPLIED WITH IN FULL. a. Brad A. Beaver, Acting-Bureau Chief Residio Johnstone, Manager Bureau of Environmental Programs Technical Services & Pesticide Laboratory IEPA WPC: Pomits file 017304.pr

)
STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)
)

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of November 20, 2024, 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:

Sunrise FS - Virginia Glenda Postin 20735 IL Hwy 125 P.O. Box 108 Virginia, Illinois 62691

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 60 East Van Buren, Suite 630 Chicago, Illinois 60605

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ Gabriel Neibergall 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)