RECEIVED CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DEC 0 6 2004

BURROUGHS AG SERVICE, INC LOSTANT (Property Identification Number)	STATE OF ILLINOIS Pollution Control Board
31-27-307-000)	·)	05-105
Petitioner,)	PCB 04-
)	(Tax Certification)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
Respondent.)	

NOTICE

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

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794 Keith Honegger 3200 Old Troy Road Glen Carbon, Illinois 62034

Burroughs Ag Service, Inc. Box 488 Toluca, IL 61369-9801

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an <u>APPEARANCE AND THE RECOMMENDATION</u> of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY OF THE STATE OF ILLINOIS

By

James Allen Day Assistant Counsel

Division of Legal Counsel

DATED: December 3, 2004

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

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,	j j	(Tax Certification)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
Respondent.	·)	•

APPEARANCE

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

ENVIRONMENTAL PROTECTION AGENCY OF THE STATE OF ILLINOIS

James Allen Day

Assistant Counsel
Division of Legal Counsel

DATED: December 3, 2004

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



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD DEC 0 6 2

)	STATE OF ILLINOIS Pollution Control Board
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RECOMMENDATION

Now Comes the Illinois Environmental Protection Agency ("Illinois EPA") by James Allen Day, one of its attorneys, and pursuant to Section 125.204 of the Illinois Pollution Control Board's (Board) regulations files the following Recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204.

- 1) On December 2, 2002, the Illinois EPA received a request from Burroughs Ag Service,
 Inc. for an Illinois EPA recommendation regarding the tax certification of water pollution
 control facilities pursuant to 35 Ill. Adm. Code 125.204, and noted the request as log
 number TC-13-02. (Exhibit A)
- 2) The applicant's mailing address is:

Burroughs Ag Service, Inc. Box 488 Toluca, Illinois 61369-9801

3) The water pollution control facilities in this request are located at Section 27, Township 31 North, Range 2 East of the 3rd Principal Meridian in LaSalle County, Illinois and include the following two separate facilities for purposes of this recommendation:

- (a) Agrichemical containment structures consisting of one minibulk/package agrichemical secondary containment structure as approved under the Agency endorsed Agrichemical Facility Permit No. 97084938 (Log No. 02097240). (These facilities are further described in Exhibit A.)
- (b) The portion of the building over the minibulk/package agrichemical secondary containment structure. (These facilities are further described in Exhibit A.)
- 4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2000), defines "pollution control facilities" as: "any system, method, construction, device or appliance appurtenant thereto or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: (a) eliminating, preventing, or reducing air or water pollution ...or (b) treating, pretreating, modifying or disposing of any potential solid, liquid or gaseous pollutant which if released without treatment, pretreatment modification or disposal might be harmful, detrimental or offensive to human, plant or animal life, or to property."
- 5. Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5 (2000).
- 6. With respect to the facilities described in Paragraph 3(a) above (the containment structures, building and associated collection and recovery systems), these facilities were covered under the tax certification Log No. TC-49-98 issued March 20, 2000 by the Illinois EPA and therefore do not require consideration or recommendation in this action

by the Illinois Pollution Control Board.

- 7. With respect to the facilities described in Paragraph 3(b) above (the portion of the building over the minibulk/package agrichemical secondary containment structure), based on the information in the application and the purpose of the facilities (to warehouse products for future use), it is the Illinois EPA's engineering judgment that the described facilities are not "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. Therefore, the facilities are not eligible for tax certification from the Board.
- 8. Therefore, the Illinois EPA recommends that the Board take no action with respect to the facilities described in Paragraph 3(a) above (the containment structures, building and associated collection and recovery systems) and deny the requested tax certification for the facilities described in Paragraph 3(b) above (the portion of the building over the minibulk/package agrichemical secondary containment structure).

Illinois Environmental Protection Agency

By:

James Allen Day

Assistant Counsel

Division of Legal Counsel

December 3, 2004

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

STATE OF ILLINOIS COUNTY OF SANGAMON O

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached <u>APPEARANCE AND</u> <u>RECOMMENDATION</u>, upon the person to whom it is directed, by placing a copy in an envelope addressed to:

Dorothy M. Gunn, Clerk Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite. 11-500 Chicago, Illinois 60601 Keith Honegger 3200 Old Troy Road Glen Carbon, Illinois 62034

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794 Burroughs Ag Service, Inc. Box 488 Toluca, IL 61369-9801

and mailing it from Springfield, Illinois on **December 3, 2004** with sufficient postage affixed for first class mail.

SUBSCRIBED AND SWORN TO BEFORE ME

this third day of December, 2004

OFFICIAL SEAL CYNTHIA L. WOLFE NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 3-20-2007

THIS FILING IS SUBMITTED ON RECYCLED PAPER

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

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

This Agency is authorized to request this information under Illinois Revised Statues, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

	FOR AGENCY USE				
			•		
File No.	Date Received	Certification No.		Da	
Sec. A	Company Name Burroughs Ag Services, Inc. Box	488 Toluca, I	L 61369-9801	815/452-	2377
	Person Authorized to Receive Certification		Person to Cont		
	Keith Honegger		1 613011 10 00110	Same	·
	Street Address		Street Address		
	3200 Old Troy Road		·	Same	
۲	Municipality, State & Zip Code		Municipality, St		de
□CA	Glen Carbon, IL 62034 Telephone Number	 	Telephone Nun	Same	·
APPLICANT	618/656-8046		r Giophiono man	Same	
	Location of Facility		Municipality		ownship
	Ouarter Section Township SWQ SEC 27 T31N R2E	Range		Lostant	Richland
	Street Address 1310 E. 9th Road Streator, IL 6	51364	County	LaSalle	ook Number
	Property Identification Number 31-27-307-000 (previous appli		Parcel Number nder the PI	V o (31 27	300-000)
Sec. B	Nature of Operations Conducted at the Above	E Location		15/2	R A DRIAGA
	Loading, and Storing of Agrich	amicals and	Fortilizers	7/7	חבר פון יינון
	Edading, and Storing of Agricu	cinicals and	i Ci tinizei s		DEC C 2 2002
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URII	Water Pollution Control Construction Permit I	No.	Date Issued		OTECTION AGENCY
ACT	97084938 Log# 97084938			Septer	AND COPERMIT SECTION
MANUFACTURING OPERATIONS	NPDES PERMIT No.		Date Issued		Expiration Date
	Air Pollution Control Construction Permit No.		Date Issued		
	Air Pollution Control Operating Permit No.		Date Issued		
Sec. C	Qescribe Unit Process	·			
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S					•
MANUFACTURING PROCESS	Materials Used in Process				
IUFA	:				
MAN					
Sec. D	Describe Pollution Abatement Control Facility			······································	
. 77		Note: Ti	he following de	scribed stru	cture is one that was not
TROL	previously certified by IEPA under a 1998 application. The purpose of this application is to include the				
CRIF	structure and the building covering the	e structure as a c	ertified agriche	mical conta	inment structure on the
ION (existing certification No. 21RA-ILL-W	rc-98-49、the: Il mini-bulb and	structure is a S	econdary a chemicals of	gricitemical containment
POLLUTION CONTROL FACILITY DESCRIPTION	structure measuring 60' x 68' x .33'. All mini-bulk and packaged agrichemicals shall be stored within said structure as approved under the Agency endorsed Agrichemical Facility Permit No. 97084938 Log#				
POL FACI	97084938.		A MUNI		, ,

Sec. E	(1) Nature of Contaminants or Pollutants						
	Material Retained, Captured or Recover					red	
NTS	Conta	minant or Pollutant	DESCRIPTION] [DISPOSAL OR		
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OL F	(2) =	oint(s) of Waste Water Discharge					
, tr	 		Plans and Specifications	Attached	Yes	No X	
Ő	(3)	Are contaminants (or residues) collected to		711140	Yes X	No	
<u>N</u>	(4)	Date installation completed1998	status of installation or	n date of a	L		
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_ 2 _ 2	<u> </u>	b. NET SALVAGE VALUE IF CONSIDERED					
ŬNT.		c. PRODUCTIVE GROSS ANNUAL INCOMI			\$ 0		
POLLUTION CONTROL FACILITY – ACCOUNTING DATA CONTAMINANTS		d. PRODUCTIVE NET ANNUAL INCOME O			\$ O		
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State of Illinois Department of Agriculture AGRICHEMICAL FACILITY PERMIT

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Carlos Anna Landa de Carlos de Carlo					

Permit is hereby granted to the above designated permittee to construct and operate an agrichemical containment facility as follows:

OPERATIONAL CONTAINMENT STRUCTURES

Operation of an existing reinforced concrete operational containment structure with the greatest dimensions measuring 66' (width) x 68' (length) x 0.5' (depth) with a total design capacity of 567.7 cubic feet (ft.3). The floor shall slope to a single sump measuring 2! (width) x 4' (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) 200 gallon recovery tanks with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. All loading, unloading and vashing of bulk liquid agrichemical transportation and application equipment shall be performed upon the herein permitted structure.

SECONDARY CONTAINMENT STRUCTURES

Operation of an existing reinforced concrete secondary containment structure measuring 11.33' (width) x 42' (length) x 2' (height) with a total design capacity of 852.3 cubic feet (ft.³). The floor shall slope to a single sump measuring 2' (diameter) x 0.5 (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 200 gallon recovery tanks with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. All bulk liquid pesticides shall be stored within the said structure. This structure shall be referred to as SC-1.



State of Illinois Department of Agriculture

Burroughs Ag Services, Inc.

AGRICHEMICAL FACILITY PERMIT

Page: 2

Operation of an existing reinforced concrete secondary containment structure measuring 34' (width) x 42' (length) x 4' (height) with a total design capacity of 4134.5 cubic feet (ft.3). The floor shall slope to a single sump measuring 2' (diameter) x 0.5' (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 200 gallon recovery tanks with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. All bulk liquid fertilizer shall be stored within the said structure. This structure shall be referred to as SC-2.

Operation of an existing reinforced concrete secondary containment structure measuring 60' (width) x 68' (length) x 0.33' (height) with a total design capacity of 441.1 cubic feet (fi.3). The floor shall slope to a single sump measuring 2' (diameter) x 0.5' (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 200 gallon recovery tanks with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. All minibulk and packaged agrichemicals shall be stored within the said structure. This structure shall be referred to as SC-3.

There shall be no discharge of wastewater from the herein permitted facilities.

This permit has been reviewed and approved by the Illinois Environmental Protection Agency per the attached permit endorsement. This permit is subject to standard conditions on the reverse side of this document and the following special conditions:

SPECIAL CONDITION 1: The permittee shall provide backflow protection in accordance with the Illinois Department of Public Health Plumbing Code (77 III. Adm. Code 890) and the Illinois Environmental Protection Agency's Technical Policy Statement (35 III. Adm. Code 653.803(c)(4).

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

Warren D. Goetsch, P.E.

Division Manager, Natural Resources

cc: Illinois EPA: WPC: Permits

file a:099352.per Gerald C. Kirbach, Manager

Permits and Downstate Field Operations

