Electronic Filing - Received, Clerk's Office, April 30, 2010

\* \* \* \* PCB 2010-095 \* \* \* \* \*

### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Triple E Farms-Altona )
(Property Indentification Number ) PCB 1048-03-13-004 003) ) (Tax Certification)

NOTICE

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 Donald Erickson 104 West Berrien St. Altona, Illinois 61414

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an <u>APPEARANCE AND 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

Vera Herst

Assistant Counsel

Division of Legal Counsel

DATED: April 30, 2010

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

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* * * * * PCB 2010-095	* * * * *			

Triple E Farms-Altona	)
(Property Indentification Number	) PCB 10-
48-03-13-004 003)	) (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

Vera Herst

Assistant Counsel

Division of Legal Counsel

DATED: April 30, 2010 Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)782-5544

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* * * * PCB 2010-095 * * * *		

Triple E Farms-Altona	)
(Property Indentification Number	) PCB 10-
48-03-13-004 003)	) (Tax Certification)
	ì

### RECOMMENDATION

The Illinois Environmental Protection Agency ("Illinois EPA") hereby files its

Recommendation pursuant to Section 125.204 of the regulations of the Illinois Pollution

Control Board, 35 Ill. Adm. Code 125.204.

On December 30, 2009, the Illinois EPA received a request from Triple E Farms
(log number TC-24-09, Exhibit A) for an Illinois EPA recommendation regarding
the tax certification of water pollution control facilities pursuant to 35 Ill. Adm.
Code 125.204.

2. The applicant's address is:

Triple E Farms
2738 Knox Highway 15

Altona, Illinois 61414

3. The proposed water pollution control facilities in this request are located at SE ½ of Section 13, T13N, R3E of the 4<sup>th</sup> PM in Knox County, at the above street address and consist of the following:

Livestock composting management facility consisting of one concrete structure (approximately 175.5 ft. x 16 ft. x 5.58 ft. high) and the roof over the structure (approximately 177 ft. x 18 ft.).

This livestock waste management facility is used collect, store, and compost swine carcasses, which composted material is then applied to cropland, and is further described in Exhibit A

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4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2008), 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.
- 6. Based on the information in the application and the purpose of the facilities, it is the Illinois EPA's engineering judgment that the described facilities may be considered "pollution control facilities," pursuant to 35 Ill. Adm. Code 125.200(a), with the primary purpose of eliminating, preventing, or reducing water pollution, or as otherwise provided in 35 Ill. Adm. Code 125.200, and are eligible for tax certification from the Board.

WHEREFORE, the Illinois EPA recommends that the Board issue the

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requested tax certification.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By:	
	Vera Herst
	Assistant Counsel
	Division of Legal Counsel

Dated: April 30, 2010 Illinois Environmental Protection Agency 1021 North Grand Ave. East. P.O. Box 19276 Springfield, Illinois 62794-9276 217/782-5544

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Triple E Farms-Altona	)
(Property Indentification Number	) PCB 10-
48-03-13-004 003)	) (Tax Certification)
	)

NOTICE

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 Donald Erickson 104 West Berrien St. Altona, Illinois 61414

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an <u>APPEARANCE AND 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

Ву:	
	Vera Herst
	Assistant Counsel
	Division of Legal Counsel

DATED: April 30, 2010

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

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Triple E Farms-Altona	)
(Property Indentification Number	) PCB 10-
48-03-13-004 003)	) (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

By:	
	Vera Herst
	Assistant Counsel
	Division of Legal Counsel

DATED: April 30, 2010 Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)782-5544



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### MENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 ● (217) 782-2829 lames R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 @ (312) 814-6026

PAT QUINN, GOVERNOR

**Douglas P. Scott**, Director

### Memorandum

To:

Connie Tonsor, Division of Legal Counsel

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

Date:

April 22, 2010

Re:

Triple E Farms - Altona

Recommendation of Tax Certification

Log # TC-24-09

Property Identification # 48-03-13-400-003

AECEIL Division of Legal Counsel

Environmental Protection

The Bureau of Water received a request on December 30, 2009 from 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:

Triple E Farms 104 West Berrien Street Altona, IL 61414

SE 1/4 of Section 13, T13N, R3E of the 4<sup>th</sup> P.M. in Knox County

Livestock composting management facility consisting of one concrete structure (approximately 175.5 ft x 16 ft x 5.58 ft high) and the roof over the structure (approximately 177 ft x 18 ft).

This livestock composting management facility is used to collecting, storing, and composting of swine carcasses. The composted material is applied to cropland.

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 Keith Runge at 217/782-3362.

SAK:KAR:TC-

cc: Tax Cert File

Des Plaines • 9511 W. Harrison St., Des Plaines, II, 60016 • (847) 294-4000 Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463 Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800 Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

Rockford \* 4302 N. Main St., Rockford, IL 61103 \* (815) 987-7760

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY P. O. Box 19276, Springfield, IL 62794-9276 This Agency is authorized to request this information under Illinois Revised Statues, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

	FOR AGENCY USE		
Fie No.	Date Received Certif	rication No.	Date
Sec. A	Company Name		
	Triple E Farms		
	Person Authorized to Receive Certification	Person to Contact for A	dditional Details
TW	Donald Erickson	David S. Erickson	
	Street Address	Street Address	
	104 West Berrien St. Municipality, State & Zip Code	1674 knox Hwy 4 Municipality, State & Zip	Codo
	Altona,IL 61414	Altona, IL 61414	Code
Š.	Telephone Number	Telephone Number	
APPLICANT	(309) 484-6491	(309) 484-6421	
	Location of Facility	Municipality	Township
	Quarter Section Township Rang		,
	S13 T13 R3E	Altona	T13
	Street Address	County	Book Number
	2738 Knox Hwy 15, Atlona, IL 61414	Knox	
	Property Identification Number 48-03-13-400-003	Parcel Number 48-03-13-400-003	-
Sec. B	Nature of Operations Conducted at the Above Loca		
Sec. b	Nature of Operations Conducted at the Above Loca	AUON	
	Dead pig composting facility		, very series of the series of
			E CONTRACTOR CONTRACTO
ក្ន			
JR. SNS	Water Pollution Control Construction Permit No.	Date Issued	
CT. ATIO	Tradition domain domain distriction	34.0.0035	
MANUFACTURING OPERATIONS	NPDES PERMIT No.	Date Issued	Expiration Date
Q A			
< .	Air Pollution Control Construction Permit No.	Date Issued	
	Air Pollution Control Operating Permit No.	Date Issued	
			·
Sec. C	Describe Unit Process		
•	Dead pigs are buried in wood shavings. The h	eating breaks down the organic	matter from the dead pigs
O	and kills pathogens. When the animals are co	mpletely decomposed, the comp	ost is utilized as fertilizer by
spreading it on grain production fields.  Materials Used in Process  wood shavings		•	
UTC ES(E)			
P.A.C	Materials Used in Process		
A I	wood shavings		
Z			
Sec. D	Describe Pollution Abatement Control Facility		
_, Z	14- three sided concrete bunkers 16' deep and	1 12' wide with 6" thick walls (175	5'X16') covered by a self
IN INC.	supported roof 18' X 177'.	1 12 WIGG WITH O THICK WAITS (1/C	.UKTO ) COVERED by a Sell
돌	Supported foot to X III.		
NO DESC	Ì		TO T
0IT.			IDIA OFFICE A
POLLUTION CONTROL FACILITY DESCRIPTION			RECEIVE
g ₹			The state of the s

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY BOW/WPC/PERMIT SECTION

# 

Project Name: Reviewer:	Triple E Farms	Location:	AlTona
Log No.:	KAR 76-24-09	Date: Type: 	4-8-10 □ Agchem ☑ Livestock
Applicant:	Triple E Farms 104 West Bestian ST. Altona, IL: 61414	Contact: Phone:	David S. Erickson 309-484-6421
Facility:	Triple E Farms 2738 Know Hwy 15 Altona, IL, G1414	Property ID	48-03-13-400-003
Legal Description:	Section 13N, T/3N, R3E	_ County:	Knox
Date Control Devices Installed:	11/2009	Provided Fair Cash Value:	\$57,000.00
Signature:	David Erickson	Title:	General Partner
Dead matter	n of Pollution Control Devices:  pigs are buried in wood shawings h  is spread on fields for fertilizer  concrete structure with Three si  high with 1817 wide x 177 ft long race	oat breaks	
No Liq	vids leach out, if compost is to	noist, woo	d chips are added.
Other:	( Brian 4/9-10 facility is located	in SEVA	Section 13

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Sec. E	(1) Nature of Contaminants or Pollutants					
<b>(</b> 0		Material Retained, Captured or Recovered				ered
E	Contaminant or Pollutant		DESCRIPTION	DISPOSAL OR USE		USE
NA NA			compost	compost v	vill be applied	to crop fields
AM	, , , , , , , , , , , , , , , , , , ,				a source of c	
, S				for the ne	······································	
≥ 0						
금						
FA	(2) Poir	nt(s) of Waste Water Discharge		·····		
₹QL		of keeps out rain water to prevent a w	aste water discharge			
Ž.			Plans and Specifications	Attached	Yes ⊠	No 🗆
8	(3) A	re contaminants (or residues) collecte	ed by the control facility?		Yes 🗵	No 🗆
<u>N</u>		ate installation completed 11/09	status of installation o	n date of a		
75 Y	(5) a.					
ool.					\$ 57,000.00	
_ S	b.	NET SALVAGE VALUE IF CONSIDER	RED REAL PROPERTY:		\$ 0.00	
Z.	C	PRODUCTIVE GROSS ANNUAL INC	OME OF CONTROL FACILITY:		\$ 0.00	
POLLUTION CONTROL FACILITY CONTAMINANTS	d.	PRODUCTIVE NET ANNUAL INCOM	E OF CONTROL FACILITY:		\$ 0.00	
AC	e.	PERCENTAGE CONTROL FACILITY	BEARS TO WHOLE FACILITY	VALUE.	<sup>%</sup> 100	
Sec. F				···		ha haat of mu
	knowledge, is true and correct. The facilities daimed herein are "pollution control facilities" as defined in Sect			ion 11-10 of the		
SIGNATURE	innois P	roperty Tax Code.				
Ź	$\cap$ .	DICT	Teneral Pato			
SIG	Beneral Parties					
	Signatu	<u>re</u> T	ite			
Sec. G	INSTRUCTIONS FOR COMPILING AND FILING APPLICATION					
	ł	INSTRUCTIONS	FOR COMPLING AND FILING API	PLICATION		
		Separate applications must be completed fo	r each control facility daimed. Do n	ot mix types (		
	water ope	Separate applications must be completed for artions are related, fle two applications. If att	r each control facility daimed. Do n achments are needed, record them	ot mix types ( consecutively	on an index sheet	t
		Separate applications must be completed for artions are related, file two applications. If att Information refers to applicant as listed in the facilities. Define facility location by street ac	r each control facility daimed. Do n achments are needed, record them e tax records and the person to be c idress or legal description. A plat ma	ot mix types ( consecutively contacted for fo	on an index sheet irther details or fo	r inspection of
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U.S. DEPARTMENT OF AGRICULTURE

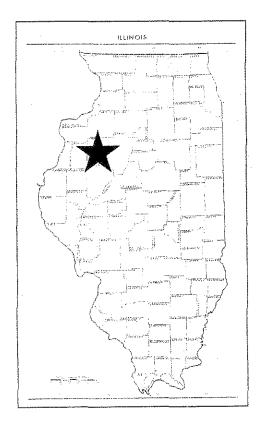
### USDA NRCS

Natural Resources Conservation Service

**DETAIL PLANS FOR** 

**Composting Facility** 

Location in ILLINOIS



Triple E Farms
Farm 6334 Tract 11514
Walnut Grove Twp -- Sec. 13, T13N, R3E
Knox County, IL
EQIP - Livestock
Contract # - 745A12080L1

Sheet	Description
1	Cover
2	Plan View of site
3	General Notes of
	Compost Bin IL-ENG-161A
4	6" Bin Wall Details IL-ENG-161B
5	8" Bin Wall Details IL-ENG-161B
6	Post Embedment Details
7-9	Composting Facility Standard
10-12	With Operation & Maintenance
13	JULIE

13



Designed by	Date 5-15-09
Checked by	Date 7-30-09
Approved by,	Date
Stewn I- Allson updated 8-21-09 Sheet	7-30-09

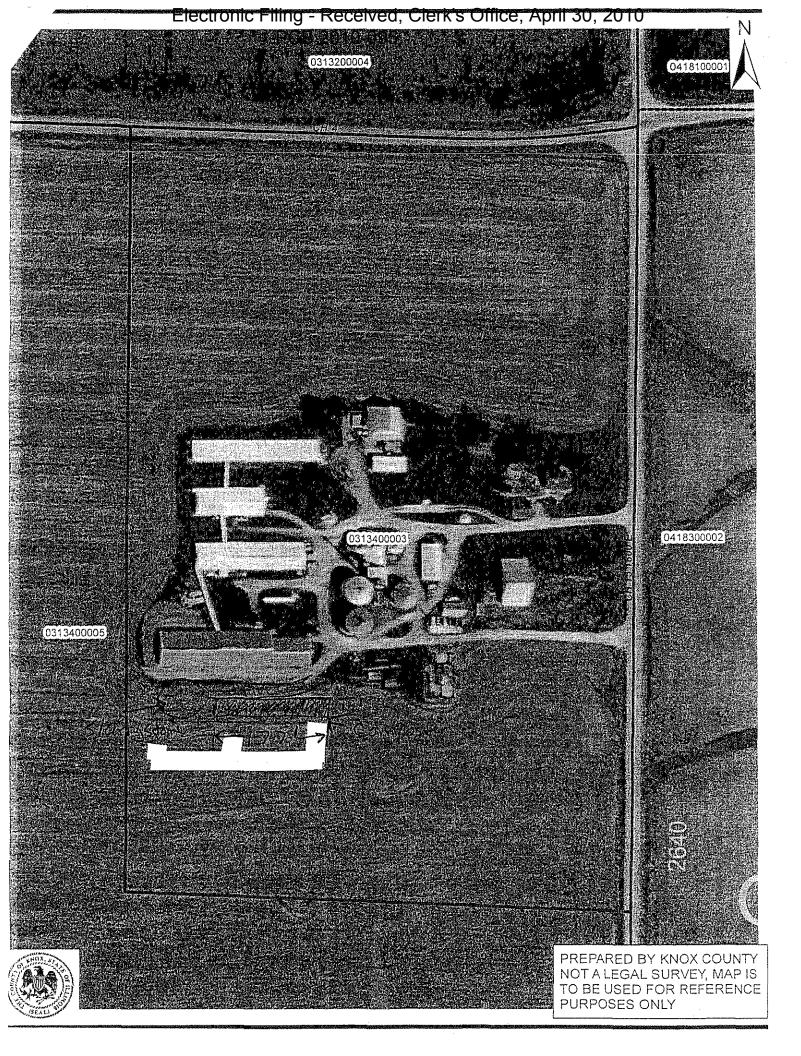
Practices Used	Job Class
Composting Facility (317)	IV
Daily Death Loss = 235.5 lbs	

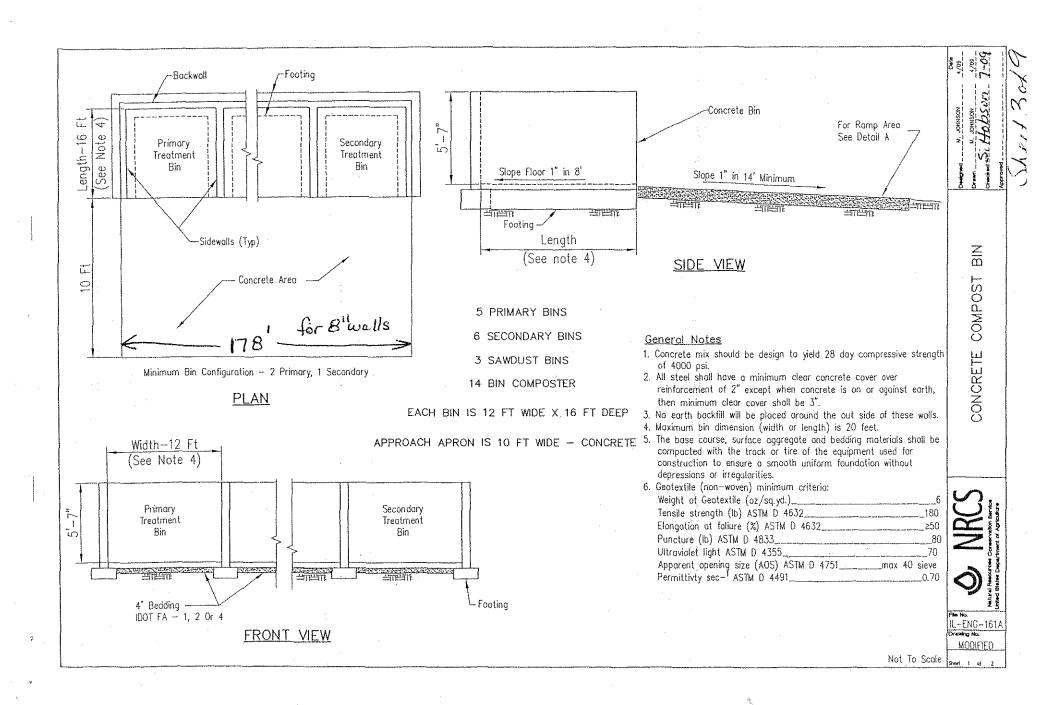
Concurred by Landowner Date

Daiple F. Farm by 8-17-09

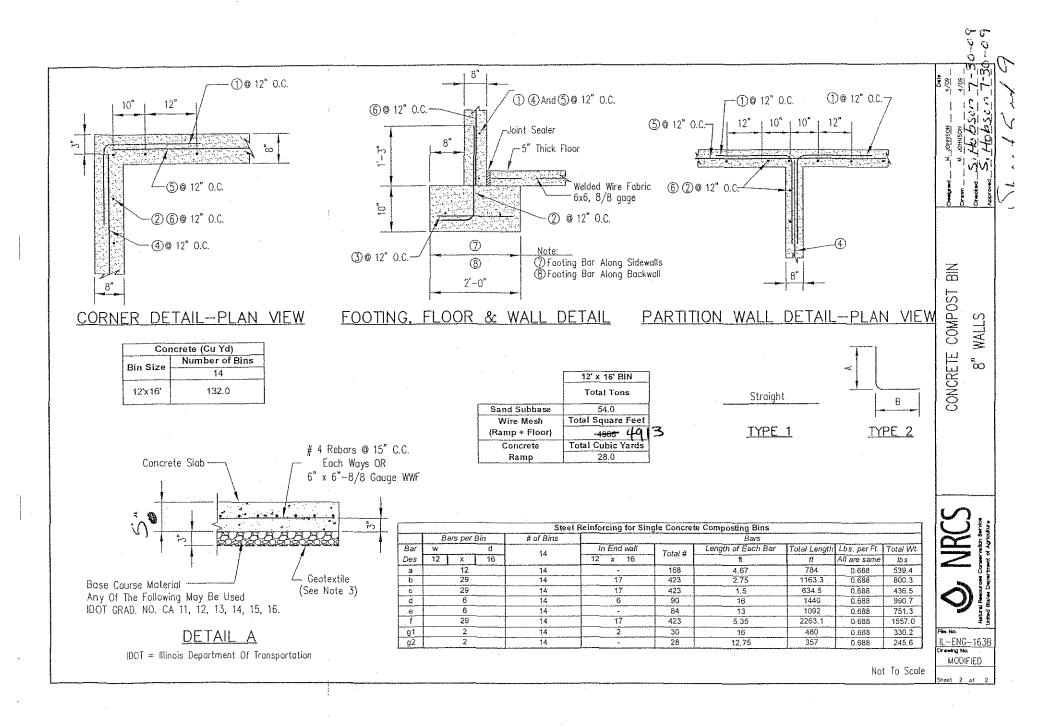
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Sheet 1 of 9





## Electronic Filing - Received, Clerk's Office, April 30, 2010



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### NATURAL RESOURCES CONSERVATION SERVICE CONSERVATION PRACTICE STANDARD

### COMPOSTING FACILITY

(No.) CODE 317

#### **DEFINITION**

This is a treatment component of an agricultural management system for the biological stabilization of organic material.

### **PURPOSES**

To reduce the pollution potential of organic agricultural wastes to surface and ground water.

#### CONDITIONS WHERE PRACTICE APPLIES

This practice applies where:

- Organic waste material is generated by agricultural production or processing;
- A composting facility is a component of a planned agricultural waste management system.
- A composting facility can be constructed, operated and maintained without polluting air and/or water resources.
- There is a need to improve air quality by reducing the emissions of odorous gases.
- The facility is operated as a component of an agricultural management system.

### **CRITERIA**

### General Criteria Applicable To All Purposes

Laws and Regulations. The installation and operation of the composting facility shall comply with all federal, state and local laws, rules and regulations.

The installation and operation of an animal composting facility shall specifically comply with Illinois Administrative Code Title 8, Part 90, Section 90.110 "On Farm Disposal (of Dead Animals)". The Illinois Administrative Code listed above has very

specific requirements for design and operation of composting facilities and should be reviewed and followed in detail. Where there is a conflict between NRCS policy and the State of Illinois "On farm disposal of dead animals act" the more conservative interpretation will be used.

Safety. Safety and personal protection features and practices shall be incorporated into the facility and its operation as appropriate to minimize the occurrence of equipment hazards and biological agents during the composting process.

Facility Siting. The bottom elevation of the composting facility shall be above the seasonal high water table and on soils with slow to moderate permeability that do not allow materials to contaminate the ground water, and meet all applicable regulations, or the facility shall be installed on a concrete slab or other appropriate liner.

The composting facility shall be located outside the 100 year floodplain. However, if site restrictions require location within a floodplain, it shall be protected from inundation or damage from a 25-year flood event, at a minimum.

The Illinois Administrative Code Title 8, Part 90, Section 90.110 "On Farm Disposal (of Dead Animals)" has specific requirements for site permeability and setback distances for facilities used for the composting of dead animals.

Locate compost facilities so prevailing winds and landscape elements such as building arrangement, landforms, and vegetation minimize odors and protect the visual resource.

Direct surface runoff away from the compost facility. Direct contaminated runoff from

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Compost Period. Continue the composting process long enough for the compost mix to reach the stability level where it can be safely stored without undesirable odors. It shall also possess the desired characteristics for its use, such as lack of noxious odor, desired moisture content, level of decomposition of original components and texture. The compost period shall involve primary and secondary composting as required to achieve these characteristics.

Test the finished compost as appropriate to assure that the required stabilization has been reached.

Use of Finished Compost. Land application of finished compost shall be in accordance with Conservation Practice Standards 590, Nutrient Management, and 633, Waste Utilization.

### CONSIDERATIONS

Planning and operation of a composting facility for dead animals must meet the Illinois "Dead Animal Disposal Act". Develop an initial compost mix with a Carbon to Nitrogen ratio of at least 30:1 to reduce most offensive odors.

Minimize odors and nitrogen loss by selecting carbonaceous material that, when blended with the nitrogenous material, provides a balance of nutrients and porous texture for aeration.

Maximize solar warming by aligning piles north to south configured with moderate side slopes.

In humid areas, do not locate piles (windrows) across the slope. This prevent ponding and sogginess.

Protect compost facilities from the wind in cold climates. Wind protection may help prevent excess drying of the compost in dry climates.

Composting operations require close management. Management capabilities of the operator and availability of labor should be assessed as part of the planning and implementing process.

Appropriate equipment must be available for initial mixing, turning, and hauling composted material and carbonaceous material.

Appropriate long stem thermometers must be

available for managing the composting material.

#### PLANS AND SPECIFICATIONS

Plans and specifications shall be prepared in accordance with the criteria of this standard and shall describe the requirements for applying the practice to achieve its intended use.

#### OPERATION AND MAINTENANCE

Develop an operation and maintenance plan that is consistent with the purposes of this practice, and the life of the composting facility. Recipe ingredients and sequence that they are layered and mixed shall be given in the plan.

Safety requirements for operation of the composting facility shall be provided.

Manage the compost piles for temperature, odors, moisture, and oxygen, as appropriate. Make adjustments throughout the composting period to insure proper composting processes.

Closely monitor temperatures above 165°F. Take action immediately to cool piles that have reached temperatures above 185°F.

The operation and maintenance plan shall state that composting is a biological process. It requires a combination of art and science for success. Hence, the operation may need to undergo some trial and error in the start-up of a new composting facility.

### REFERENCE

National Engineering Handbook, Part 651 Agricultural Waste Management Field Handbook, Chapter 10.

State of Illinois Administrative Code, Title 8: Agriculture and Animals, Part 90 Illinois Dead Animal disposal Act, Chapter I: Department of Agriculture, Section 90.110 On-http://www.legis.state.il.us/commission/jcar/admincode/008/008000900001100R.htmlThe-Farm Disposal

NRCS, Illinois

September, 2004

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6. Keep the area around the composter mowed and free of weeds and brush. Maintain the entrance area approach to the composter, including filling any ruts or holes. Periodically check concrete walls, and floors for cracking, spalling and equipment damage and repair when damaged. Periodically check joint sealer at wall and floor joint to ensure a watertight joint and repair as needed.

STATE OF ILLINOIS COUNTY OF SANGAMON	) ) ) )
	PROOF OF SERVICE
	y that I have served the attached <b>APPEARANCE AND</b> person to whom it is directed, by placing a copy in an
Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794	Donald Erickson 104 West Berrien St. Altona, Illinois 61414
and mailing it from Springfield, Illin first class mail; and electronically or Clerk	nois, on April 30, 2010, with sufficient postage affixed for a April 30, 2010:
Clerk Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite. 11-500 Chicago, Illinois 60601	
	Ven Herst

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