

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Prime Pork, LLC-DeKalb)
(Property Identification Number) PCB 013-
11-11-200-004) (Tax Certification
) Water)
)

NOTICE

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

Charles Schelkopf
2435 Bethany Rd.
Sycamore, Illinois 60178

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

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

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

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

DATED: February 11, 2013

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

Prime Pork, LLC-DeKalb)
(Property Identification Number) PCB 013-
11-11-200-004)) (Tax Certification
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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: *Vera Herst*
 Vera Herst
 Assistant Counsel
 Division of Legal Counsel

DATED: February 11, 2013
 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

Prime Pork, LLC-DeKalb)
(Property Identification Number) PCB 013-
11-11-200-004)) (Tax Certification
) Water)
)

RECOMMENDATION

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

1. On April 25, 2007, the Illinois EPA received a request from Prime Pork, LLC (log number TC-35-07, 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:	Prime Pork, LLC.
	16737 Crego Rd.
	DeKalb, Illinois 60115

3. The proposed water pollution control facilities in this request are located at NE ¼ of Section 11, T39N, R4E of the 3rd PM in DeKalb County, at the above street address and consist of the following:

Livestock waste management facilities consisting of six concrete manure pits (each approximately 163 ft. x 44 ft. x 2 ft. deep) and the slotted concrete portion of the floor over the manure pits; one concrete manure pit (approximately 322 ft. x 37 ft. x 2 ft. deep) and the slotted plastic portion of the floor over the manure pit; one concrete manure pit (approximately 162 ft. x 71 ft. x 2 ft. deep) and the slotted plastic portion of the floor over the manure pit; one concrete manure pit (approximately 165 ft. x 56 ft. x 2 ft. deep) and the slotted concrete portion of the floor over the manure pit; one clay lined lagoon (approximately 330 ft. x 110 ft. x 15 ft. deep); one clay lined lagoon (approximately 210

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ft. x 210 ft. x 15 ft. deep); approximately 900 ft. of 6-inch diameter aluminum manure transfer pipe and approximately 2,520 ft. of 8-inch diameter PVC manure transfer pipe.

These pollution control facilities have the primary purpose of collecting, transporting, and storing livestock waste prior to cropland application, and are further described in Exhibit A.

4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2010), 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
Vera Herst
Assistant Counsel
Division of Legal Counsel

Dated: February 11, 2013
Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

PAT QUINN, GOVERNOR

JOHN J. KJM, DIRECTOR

Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Al Keller, Manager, Permit Section *AK*

Date: January 30, 2013

Re: Prime Pork, LLC – DeKalb
Recommendation of Tax Certification
Log # TC-35-07
Property Identification # 11-11-200-004

The Bureau of Water received a request on April 25, 2007 from Charles Schelkopf 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:

Prime Pork, LLC.
16737 Crego Road
DeKalb, IL 60115

NE ¼ of Section 11, T39N, R4E of the 3rd P.M. in DeKalb County

Livestock waste management facilities consisting of six concrete manure pits (each approximately 163 ft. x 44 ft. x 2 ft. deep) and the slotted concrete portion of the floor over the manure pits; one concrete manure pit (approximately 322 ft. x 37 ft. x 2 ft. deep) and the slotted plastic portion of the floor over the manure pit; one concrete manure pit (approximately 162 ft. x 71 ft. x 2 ft. deep) and the slotted plastic portion of the floor over the manure pit; one concrete manure pit (approximately 165 ft. x 56 ft. x 2 ft. deep) and the slotted concrete portion of the floor over the manure pit; one clay lined lagoon (approximately 330 ft. x 110 ft. x 15 ft. deep); one clay lined lagoon (approximately 210 ft. x 210 ft. x 15 ft. deep); approximately 900 ft. of 6-inch diameter aluminum manure transfer pipe and approximately 2,520 ft. of 8-inch diameter PVC manure transfer pipe.

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

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 Thaddeus Faught at 217/782-3362.

SAK:TJF:TC-35-07.doc

cc: Tax Cert File

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

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462
2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312)814-6026

Watershed Unit Tax Certification Review Sheet

Project Name: Prime Park LLC Location: DeKalb
 Reviewer: Thaddeus Fought Date: 4/29/09
 Log No.: TC-35-07 Type: Agchem
 Livestock

Applicant: Charles Schelkopf Contact: Charles Schelkopf
2435 Bethany Road Phone: 815-756-3279
Sycamore, IL 60178

Facility: Prime Park, LLC Property ID: 11-11-200-004
16737 Craig Road
DeKalb, IL 60115

Legal Description: ^{NE 1/4} Section 11, T39N R4E W 31 1/2 County: DeKalb

Date Control Devices Installed: 9/1/88 Provided Fair Cash Value: \$490,000

Signature: Charles Schelkopf Title: vice president

- Wastes:
- Livestock waste is applied to cropland.
 - Agrichemical rinsate and spillage is recycled through the facility and/or land applied.
 - Other: _____

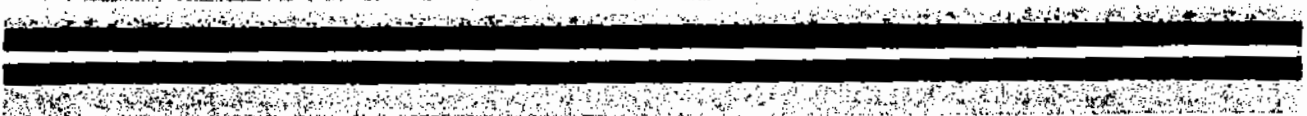
Physical Description of Pollution Control Devices:

- ✓ Six concrete manure pits (each ≈ 163 ft x 44 ft x 2 ft deep) w/ concrete slats
- ✓ One concrete manure pit (≈ 322 ft x 37 ft x 2 ft deep) w/ plastic slats
- ✓ One concrete manure pit (≈ 162 ft x 71 ft x 2 ft deep) w/ plastic slats
- ✓ One concrete manure pit (≈ 165 ft x 56 ft x 2 ft deep) w/ concrete slats
- ✓ One clay lined lagoon (≈ 330 ft x 110 ft x 15 ft deep)
- ✓ One clay lined lagoon (≈ 210 ft x 210 ft x 15 ft deep)
- ✓ approximately 2520 feet of 3-inch diameter PVC manure transfer pipe
- ✓ approximately 700 feet of 1.5-inch diameter aluminum manure transfer pipe

Other: 1/25/13 spoke w/ Carrie Pollard (Bethany Animal Hospital)
Carrie said both lagoons are approximately 15 ft deep.



BETHANY ANIMAL HOSPITAL
2435 BETHANY ROAD
SYCAMORE, ILLINOIS 60178



PH: (815) 756-3279 **FAX: (815) 756-9575**

TO: Thaddeus Fought

COMPANY: IL EPA

FAX #: 217-785-1225

FROM: Carrie Pollard, cell - 815-757-9201

Total Pages including cover: 10

TC-01-07
TC-35-07
TC-34-07
TC-37-07

Comments:

Thad -
I hope this answers all the questions you had for certification. Please contact me if you have any more questions. (I can also scan & email if faxes are too hard to read).

Thank You!

PRIME PORK, INC.

Building Dimensions

New Farrowing dimensions are: 71' x 162'

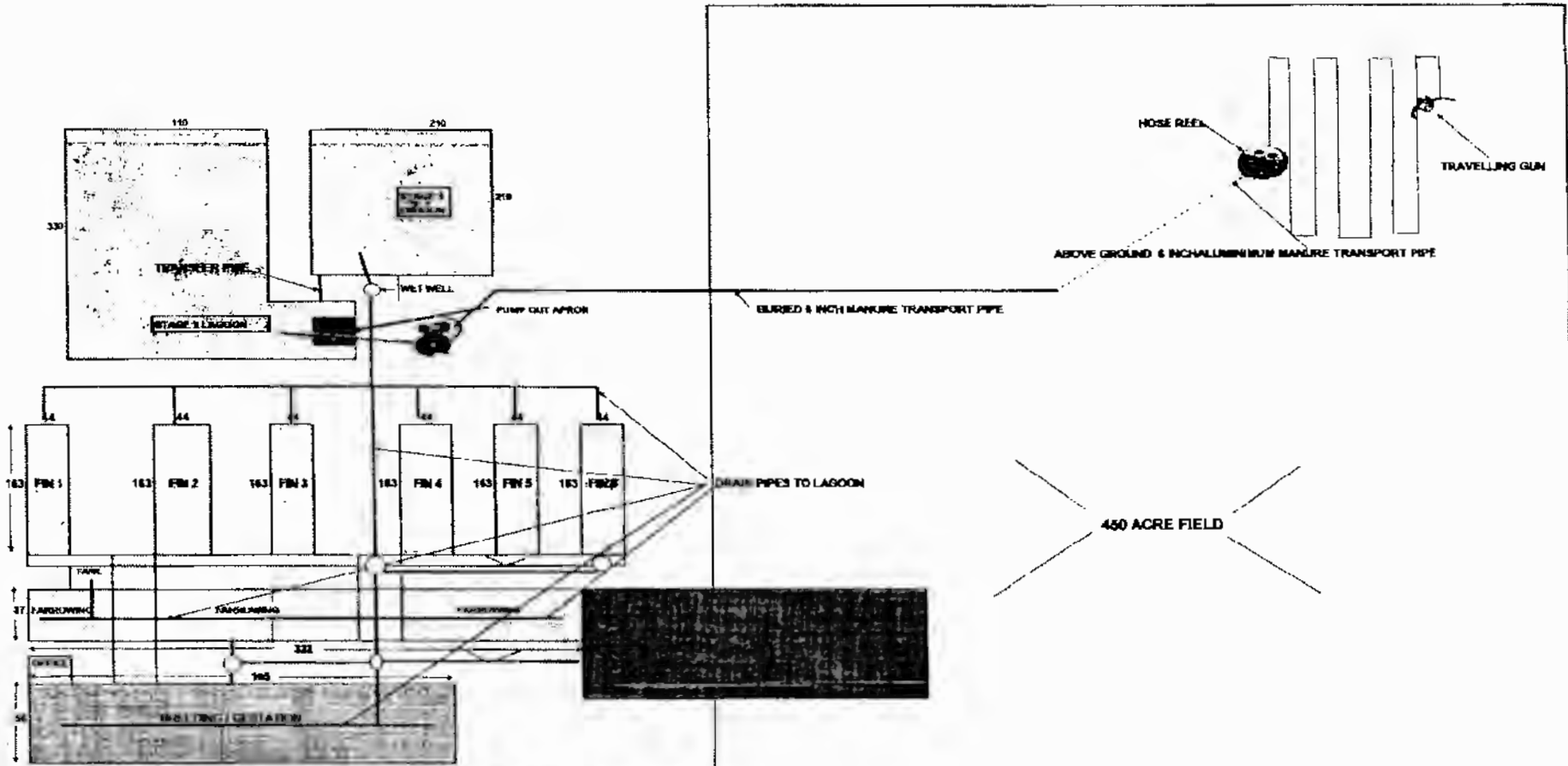
Other Equipment/Infrastructure

5 manholes (identified as the open circles on the map)

~2520' of 8" pipe that runs under the buildings & transports waste to the lagoon

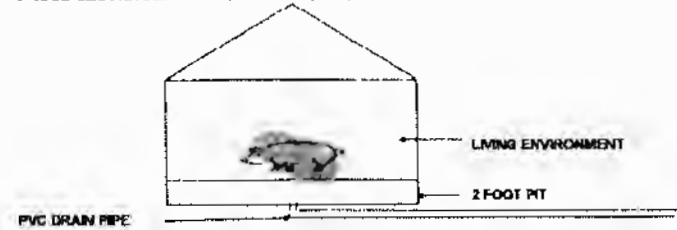
~900' of 6" pipe that is buried to the field

Lagoon is clay-lined



The swine waste is contained in shallow, 5 inch thick, concrete pits (2 foot deep) under the farrowing, nursery, gestation, and finishing buildings after it falls through concrete slats in the finishing and gestation area and plastic slats in the farrowing and nursery area. The waste travels via gravity in 6 inch pvc pipes from these shallow pits to the first stage lagoon when pull plugs are pulled. The waste flows from the first stage lagoon to the second stage lagoon via a 6 inch pvc pipe after it becomes 2/3 full, with solids settling out into the first stage lagoon. The second stage lagoon is pumped twice annually, down to the minimum treatment level. The pumping process involves a stationary pump hooked to a 6 inch pipe that is extended into the lagoon via the pump out apron. The pump pumps the manure through a buried 6 inch transport pipe to movable above-ground 6 inch aluminum manure transport pipes. This piping transports the manure to a "travelling gun" connected to 500 feet of flexible hose on a hose reel. The hose reel is self propelled and the spray gun evenly distributes the manure on the ground as the gun travels back to the hose reel. The farm manager supervises the process and is full view of the pumping system in the event that a breach or malfunction of equipment would occur.

CROSS SECTIONAL VIEW OF BUILDINGS WITH WASTE STRUCTURE



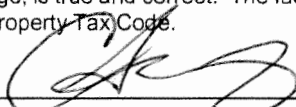
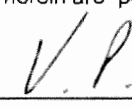
**APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)
POLLUTION CONTROL FACILITY**
AIR WATER

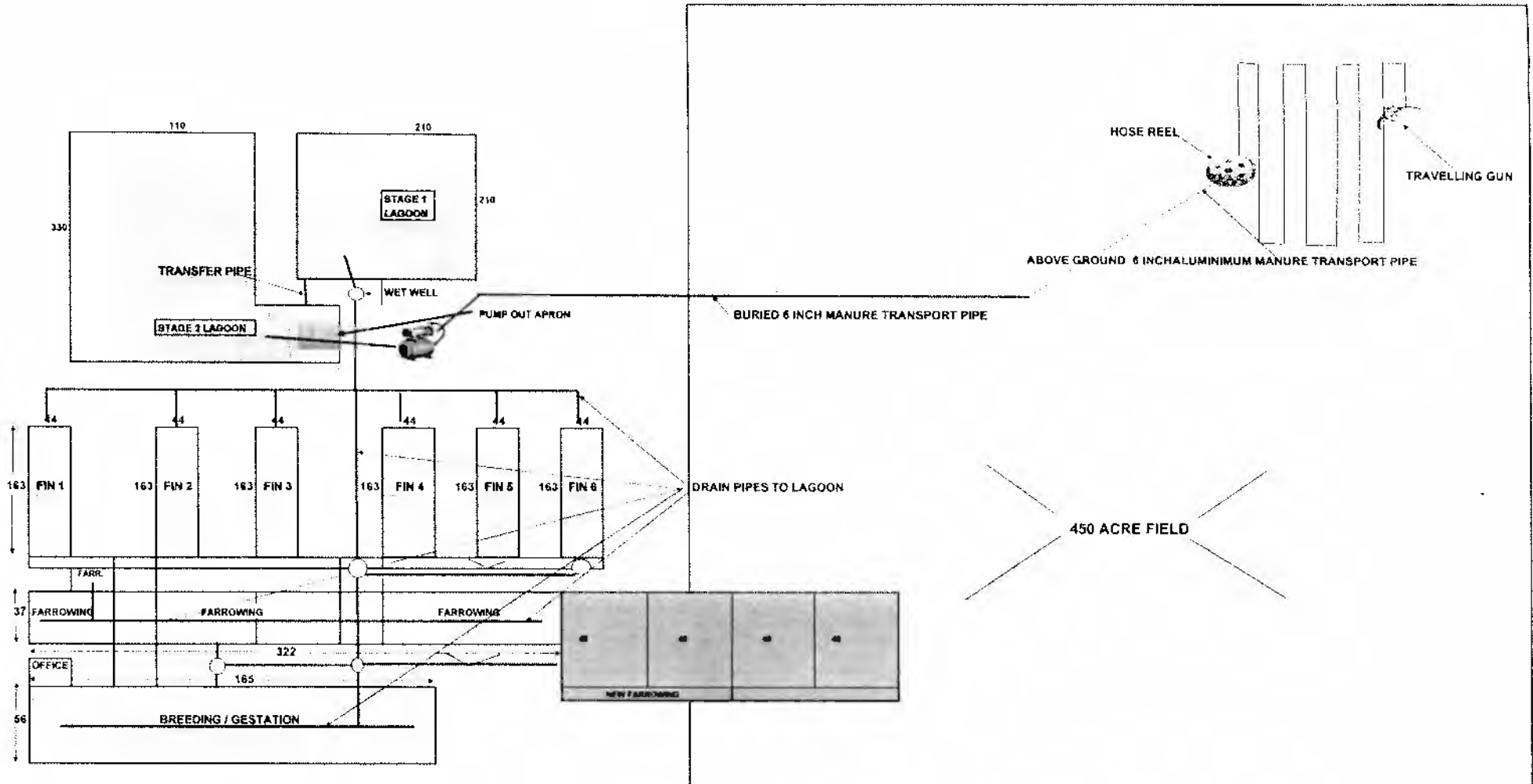
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P. O. Box 19276, Springfield, IL 62794-9276

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

FOR AGENCY USE				
File No.	Date Received	Certification No.	Date	
Sec. A APPLICANT	Company Name Prime Pork, LLC			
	Person Authorized to Receive Certification Dr. Charles Schelkopf		Person to Contact for Additional Details Dr. Charles Schelkopf	
	Street Address 2435 Bethany Road		Street Address 2435 Bethany Road	
	Municipality, State & Zip Code Sycamore, IL 60178		Municipality, State & Zip Code Sycamore, IL 60178	
	Telephone Number (815) 756-3279		Telephone Number (815) 756-3279	
	Location of Facility Quarter Section	Township T 39N	Range R4E	Municipality DeKalb
	Street Address 16737 Crego Road		County DeKalb	Township Afton
	Property Identification Number 11-11-200-004		Parcel Number 11-11-200-004	Book Number
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location swine farrowing & finishing facility for 1300 sows		
		Water Pollution Control Construction Permit No.	Date Issued	
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 MANUFACTURING PROCESS	Describe Unit Process			
	Materials Used in Process			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility Manure structures that include the concrete slats & 2' shallow pits under the finishing & gestation & plastic slats in the farrowing & nursery area. 6" PVC pipes gravity drain these shallow pits to the Stage 1 Lagoon (210' x 210'), which then flows into the Stage 2 Lagoon (110' x 330') via transfer pipe. Waste application to the land occurs via 6" buried transfer line, which connects to 6" aluminum transfer pipe & a flexible hose reel, where it is land applied using a traveling gun onto farmland once or twice per year.			

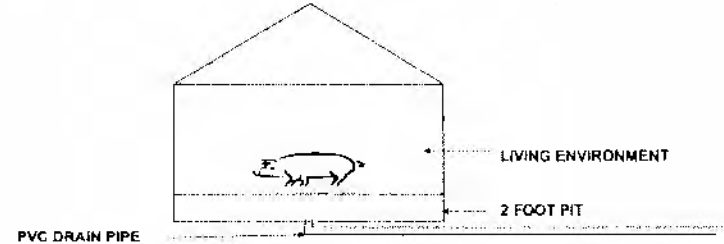
RECEIVED
APR 25 2007
Watershed Management Section
BUREAU OF WATER

Sec. E	(1) Nature of Contaminants or Pollutants Liquid swine waste			
	CONTAMINANTS	Material Retained, Captured or Recovered		
		Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
		Liquid swine waste	From farrow to finish op	Land applied to adjacent fields
	(2) Point(s) of Waste Water Discharge Waste is pumped from the lagoon for land application			
	Plans and Specifications Attached		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	(3)	Are contaminants (or residues) collected by the control facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	(4)	Date installation completed <u>09/01/88</u> status of installation on date of application _____		
	ACCOUNTING DATA	(5) a.	FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 480,000.00
b.		NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$	
c.		PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$	
d.		PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$	
e.		PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% 30	
Sec. F	The following information is submitted in accordance with the Illinois Property Tax Code, as amended, and to the best of my knowledge, is true and correct. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.			
	SIGNATURE	 _____ Signature	 _____ Title	
Sec. G	INSTRUCTIONS FOR COMPILING AND FILING APPLICATION			
	General: Separate applications must be completed for each control facility claimed. Do not mix types (water and air). Where both air and water operations are related, file two applications. If attachments are needed, record them consecutively on an index sheet.			
	Sec. A	Information refers to applicant as listed in the tax records and the person to be contacted for further details or for inspection of facilities. Define facility location by street address or legal description. A plat map location is required for facilities located outside of municipal boundaries. The property identification number is required.		
	Sec. B	Self-explanatory. Submit copies of all permits issued by local pollution control agencies. (e.g. MSD Construction Permit)		
	Sec. C	Refers to manufacturing processes or materials on which pollution control facility is used.		
	Sec. D	Narrative description of the pollution control facility, indicating that its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility. State permit number, date, and agency issuing permit. A narrative description and a process flow diagram describing the <u>pollution control facility</u> . Include a listing of each major piece of equipment included in the claimed fair cash value for real property. Include an <u>average</u> analysis of the influent and effluent of the control facility stating the collection efficiency.		
	Sec. E	List air contaminants, or water pollution substances released as effluents to the manufacturing processes. List also the final disposal of any contaminants removed from the manufacturing processes. Item (1) - Refers to pollutants and contaminants removed from the process by the pollution control facility. Item (2) - Refers to water pollution but can apply to water-carried wastes from air pollution control facilities. Submit drawings, which clearly show (a) Point(s) of discharge to receiving stream, and (b) Sewers and process piping to and from the control facility. Item (3) - If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value in dollars reclaimed by sale or reuse of the collected substances. State the cost of reclamation and related expense. Item (4) - State the date which the pollution control facility was first placed in service and operated. If not, explain. Item (5) - This information is essential to the certification and assessment actions. This accounting data must be completed to activate project review prior to certification by this Agency.		
	Sec. F	Self-explanatory. Signature must be a corporate authorized signature.		
	Submit to:		Attention:	Attention:
	Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276		Al Keller Permit Section Division of Water Pollution Control	Donald E. Sutton Permit Section Division of Air Pollution Control



The swine waste is contained in shallow, 5 inch thick, concrete pits (2 foot deep) under the farrowing, nursery, gestation, and finishing buildings after it falls through concrete slats in the finishing and gestation area and plastic slats in the farrowing and nursery area. The waste travels via gravity in 6 inch pvc pipes from these shallow pits to the first stage lagoon when pull plugs are pulled. The waste flows from the first stage lagoon to the second stage lagoon via a 6 inch pvc pipe after it becomes 2/3 full, with solids settling out into the first stage lagoon. The second stage lagoon is pumped twice annually, down to the minimum treatment level. The pumping process involves a stationary pump hooked to a 6 inch pipe that is extended into the lagoon via the pump out apron. The pump pumps the manure through a buried 6 inch transport pipe to movable above-ground 6 inch aluminum manure transport pipes. This piping transports the manure to a "travelling gun" connected to 500 feet of flexible hose on a hose reel. The hose reel is self propelled and the spray gun evenly distributes the manure on the ground as the gun travels back to the hose reel. The farm manager supervises the process and is full view of the pumping system in the event that a breach or malfunction of equipment would occur.

CROSS SECTIONAL VIEW OF BUILDINGS WITH WASTE STRUCTURE



STATE OF ILLINOIS

COUNTY OF SANGAMON

)
)
)
)
)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on February 11, 2013, I served true and correct copies of an **APPEARANCE AND THE RECOMMENDATION**, upon the persons and by the methods as follows:

[1st Class U.S. Mail]

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

[1st Class U.S. Mail]

Charles Schelkopf
2435 Bethany Rd.
Sycamore, Illinois 60178

[Electronic Filing]

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ Vera Herst
Assistant Counsel
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276-
Springfield, Illinois 62794-9276
217.782.5544
217.782.9143 (TDD)

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