BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Edwards Valley Pork Corporation
(Property Indentification Number
) PCB 01517-32-300-002-0011)
) (Tax Certification
) Water)

NOTICE

Clerk

Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601 Stephen A. Swanson 6412 County Highway 9 Lynn Center, Illinois 61262

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 <u>APPEARANCE AND THE RECOMMENDATION</u> of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION `AGENCY

Vera Herst

Assistant Counsel

Division of Legal Counsel

DATED: December 5, 2014

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

Edwards Valley Pork Corporation
(Property Indentification Number
17-32-300-002-0011)
) (Tax Certification
) Water)

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: December 5, 2014 Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)782-5544

Electronic Filing -	Received, Clerk's Office	: 12/05/2014 -	· * * * PCB 2015-104 * * *
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Edwards Valley Pork Corporation)
(Property Indentification Number) PCB 015-
17-32-300-002-0011)) (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.

- On October 11, 2013, the Illinois EPA received a request from Knox Farm, LLC (log number TC-18-13, 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: Ed 64

Edwards Valley Pork Corporation 6412 County Highway 9

Lynn Center, Illinois 61262

The proposed water pollution control facilities in this request are located at Section 32, T15N,
 R2E of 4th PM in Henry County, at the above street address and consist of the following:

Livestock waste management facilities consisting of two 285 ft. x 72 ft. x 8 ft. deep concrete manure pits under separate buildings, with concrete slotted and wire mesh floor over the pits, and eight 4 ft. x 4 ft. x 9 ft. deep manure pumps outs in each pit.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes 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 (2012), 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 requested tax certification.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

3v:

Vera Herst

Assistant Counsel

Division of Legal Counsel

Dated: December 5, 2014 Illinois Environmental Protection Agency 1021 North Grand Ave. E. P.O. Box 19276 Springfield, Illinois 62794-9276 217/782-5544



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829 PAT QUINN, GOVERNOR LISA BONNETT, DIRECTOR

Memorandum

To:

Chuck Gunnarson, Division of Legal Counsel

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

Date:

December 1, 2014

Re:

Edwards Valley Pork Cooperation – Lynn Center

Recommendation of Tax Certification

Log # TC-18-13

Property Identification # 17-32-300-002-0011

The Bureau of Water received a request on October 11, 2013 from Edwards Valley Pork Cooperation for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 H. Adm. Code 125.204. We offer the following recommendation.

The water pollution control facilities in this request include the following:

Edwards Valley Pork Cooperation 6412 County Highway 9 Lynn Center, Il 61262

Section 32, Township 15N, Range 2E, of the 4th P.M. - Henry County - Andover

Livestock waste management facilities consisting of two 285' x 72' x 8' deep concrete manure pits under separate buildings, with concrete slotted and wire mesh floor over the pits, and eight 4' x 4' x 9' deep concrete manure pump outs in each pit.

The structures and collection systems are used to collect and dispose of agricultural waste properly and are considered pollution control systems.

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 Burcau 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 Jamie Cowles at 217/782-0610.

SAK:JMC:TC-18-13

cc: Tax Cert File

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 AGENOUSE		application to	1 Contineation.
	FOR AGENCY USI			
File No.	Date Received	Certification No.		Date
Sec. A	Company Name			
	Edwards Valley Pork Cooperation Person Authorized to Receive Certification		Person to Contact for Add	itional Details
			Stephen A. Swanson	ilional Details
	Stephen A. Swanson, President Street Address		Street Address	
	6412 County Highway 9		6412 County Highway 9	
	Municipality, State & Zip Code		Municipality, State & Zip C	
APPLICANT	Lynn Center, IL 61262		Lynn Center, IL 61262	
PLIG	Telephone Number	***************************************	Telephone Number	
AP	(309) 507-0402		(309) 507-0402	
	Location of Facility		Municipality	Township
	Quarter Section Township 32 15N	Range 2E /	^ - d	4581
	Street Address	<u> </u>	Andover County	15N Book Number
	6412 County Higway 9		Henry	Book Nambol
	Property Identification Number		Parcel Number	
	17-32-300-002-0011			
Sec. B	Nature of Operations Conducted at the Above	ve Location		
	Growing and finishing of up to 9920 hog	s angually		
	Growing and imisming of up to 5920 flog	s annually.		
S S				
25	Water Pollution Control Construction Permit	No.	Date Issued	
FAC	N/A		Data langed	T. F instance Bath
MANUFACTURING	NPDES PERMIT No.		Date Issued	Expiration Date
Š	Air Pollution Control Construction Permit No		Date Issued	
	N/A	, .	Date 1554C4	
	Air Pollution Control Operating Permit No.		Date Issued	
	N/A			
Sec. C	Describe Unit Process			
	N/A			
(0)			DECE	(A) (B) (V)
				JUA
MANUFACTURII			OCT 11	2013
FAC	Materials Used in Process		QQ1 C	0 1 -
DN.	N/A		Surface Water	er Section
ž			BUREAU OF	WAIEH
Sec. D	Describe Pollution Abatement Control Facili	tv		
		•		
JON JON	The site consists of two swine manure storage facilities consisting of: two water tight concrete floors and			
RIP	poured concrete walls forming a pit (285'L X 72'W X 8'H) concrete slatted and wire mesh floors and related			
N CC ESC	The site consists of two swine manure storage facilities consisting of: two water tight concrete floors and poured concrete walls forming a pit (285'L X 72'W X 8'H) concrete slatted and wire mesh floors and related appurtenances. The site and related confinement buildings are used to house swine in confinement. A plastic field tile was placed on the north, south and east end of each building below floor level. A sample taken quarterly, results reported to ILDA to ensure no discharge or leakage. During favorable weather, pits are pumped and injected in nearby agricultural fields. Storage capacity is up to 18 months. (See atta			
ÖE≻				
<u> </u>	taken quarterly, results reported to ILDA to ensure no discharge or leakage. During favorable weather,			
FAC	pits are pumped and injected in nearby	agricultural fields	s. Storage capacity is up	to 18 months.(See attach)
	1			

Sec. E		ture of Contaminants or Pollutants Manure				
	OVVIITE	Manure	Material Reta	ined. Capti	ured or Recove	red
NTS.	Conta	minant or Pollutant	DESCRIPTION		ISPOSAL OR	
AN N	swine i	nanure	livestock waste	use has c	rop fertilizer inje	ected in soil
ITAN						
± 80						
E						
FAC	(2) Po	int(s) of Waste Water Discharge		1		
5	(2)10	in(s) of waste water Discharge				
N E			Plans and Specifications	Attached	Yes ⊠	No 🗆
2	(3)	Are contaminants (or residues) collec			Yes ⊠	No 🗆
5	(4)	Date installation completed 09/07/13	status of installation o	n date of a	pplication 09/10	0/13
TA T	(5)	a. FAIR CASH VALUE IF CONSIDERE	D REAL PROPERTY:		\$ 1,300,000.0	00
0 P		b. NET SALVAGE VALUE IF CONSIDE	RED REAL PROPERTY:	***************************************	\$ 48,000.00	
Ž.		c. PRODUCTIVE GROSS ANNUAL INC	COME OF CONTROL FACILITY:		\$ 213,280.00	
POLLUTION CONTROL FACILITY - ACCOUNTING DATA CONTAMINANTS		d. PRODUCTIVE NET ANNUAL INCOM	ME OF CONTROL FACILITY:		\$ 34,000.00	
ACC		e. PERCENTAGE CONTROL FACILITY		VALUE:	% 25	
Sec. F		lowing information is submitted in accorda				ne best of my
	knowle	dge, is true and correct. The facilities cla				
Z.	Illinois	Property Tax Code.				
SIGNATURE	AL	4 A Aug a	n. 9 +			
SIG	Mel	mer souch	president			
	Signat	ure	Title			
Sec. G		INSTRUCTIONS	S FOR COMPILING AND FILING APP	PLICATION		
Sec. G	Genera	l: Separate applications must be completed for	or each control facility claimed. Do no	ot mix types (water and air). Wh	nere both air and
Sec. G	water o	l: Separate applications must be completed for perations are related, file two applications. If a	or each control facility claimed. Do not ttachments are needed, record them of	ot mix types (consecutively	on an index sheet.	
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Section D – Pollution Control Facility: Neatly sketch a diagram showing the flow of livestock waste from the animals through the pollution control facilities to final disposal on cropland. Include the locations of components such as pumps, *pipes, *gutter scrapers, manure pits, *tanks, slotted floors, *holding ponds for runoff, *lagoons, *methane digesters, *settling basins, *vegetative filters, etc.

Storage pit. Process begins with an empty to near empty storage pit. (285'L X 72'4"W X 8')

Slatted floors allow manure and waste to enter the below storage pit

Pigs in a facility creating waste/manure.

Pit fan/cleanout – the fan is moved to allow access for manure agitation in the pit (4'L X 4'W X 9'H)

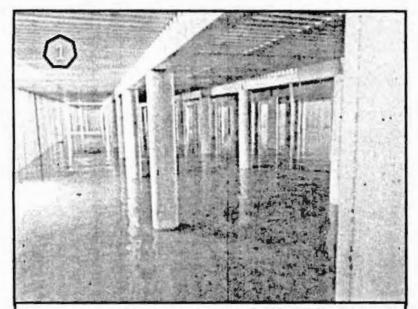
The agitator is inserted in one of the 8 pit fan/cleanouts and agitates/mixes the liquid and solid manure for application by the injection tool.

The spool contains a long hoses that is unrolled and placed so as to connect the pump to the injection tool.

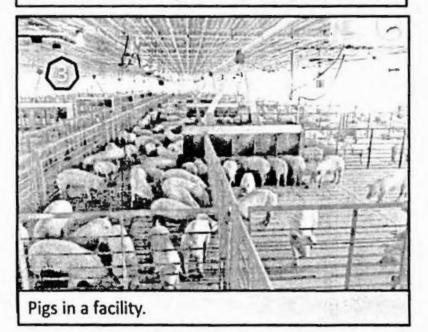
The pump transfers the manure from the pit, after agitation to the injection tool.

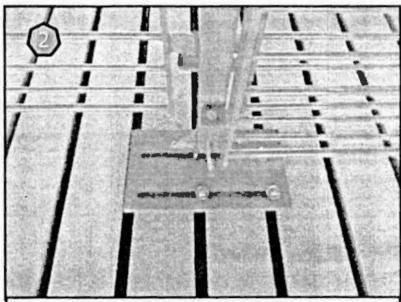
An injection tool injects manure into the ground at the prescribed gallons/acre to achieve proper fertility rates without disturbing the topsoil thus preventing erosion and run-off

* Not used in this facility.

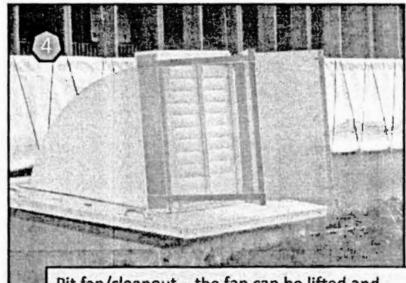


Storage pit. Note slatted floors above the pillars. Rain water entered pit during construction.

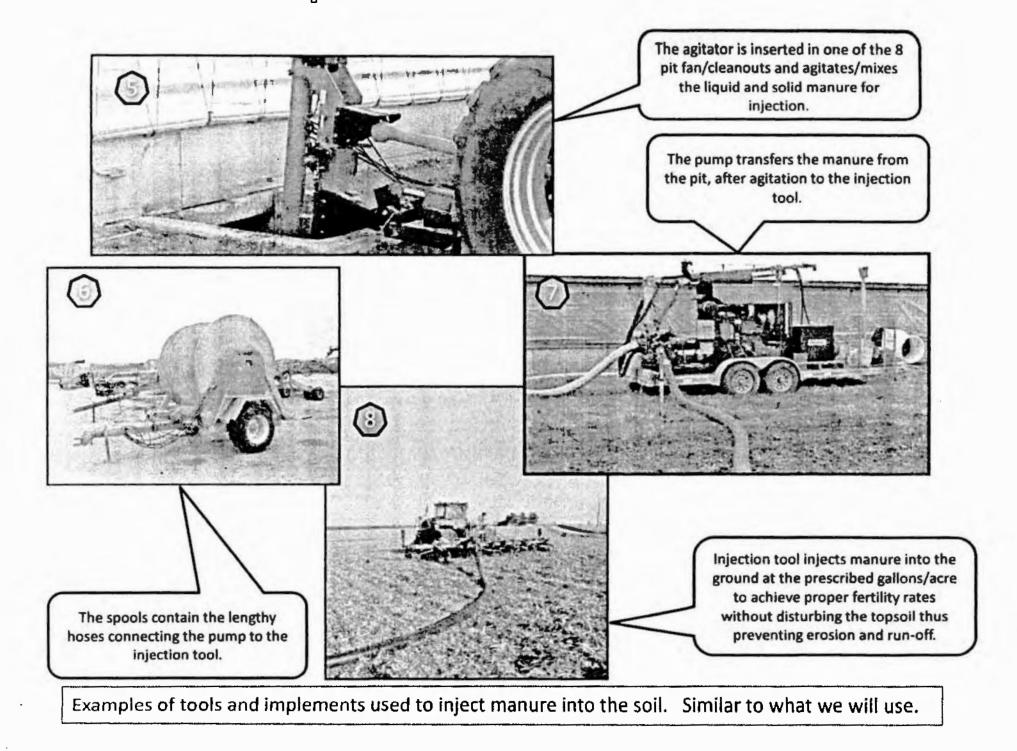




Slatted floors allow manure and waste to enter the below storage pit



Pit fan/cleanout – the fan can be lifted and moved to allow access for agitation



Section D – Pollution Control Facility: Identify local streams, lakes, groundwater, or other waters that the pollution control facilities protect from contamination by livestock wastes. Briefly explain how the pollution control facilities prevent livestock wastes from entering these waters.

The underground storage located under each building captures the liquid manure/waste and is prevented from flowing to other water sources/supplies. Materiel specific products are used to seal the concrete sidewalls to the floor or bottom of the underground storage pit.

Additionally, when the manure application process includes injecting the liquid into the ground several inches to prevent run-off and drainage from entering water.

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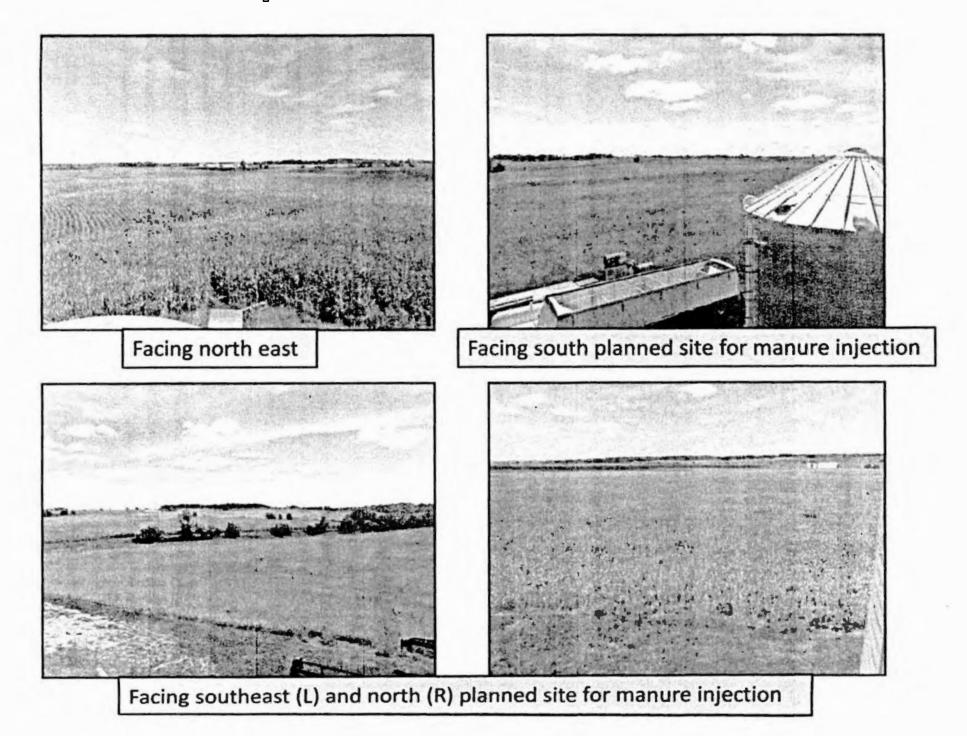


View facing north west where manure will be injected in the soil



View facing north/north east where manure will be injected in the soil

Electronic Filing - Received, Clerk's Office : 12/05/2014 - * * * PCB 2015-104 * * *



Gove, Darren

From:

Dan Swanson <dan76972002@yahoo.com>

Sent:

Thursday, October 23, 2014 1:31 PM

To:

Gove, Darren

Cc:

Shirley Swanson

Subject:

TC-18-13

Darren,

As discussed, request you remove the pumps and no longer consider the agitators for tax certification purposes.

Respectfully submitted,

Dan Swanson Vice-President Edwards Valley Pork Co. 6412 Cnty Hwy 9 Lynn Center, IL 61262

Watershed Unit Tax Certification Review Sheet

Project Name: Edwards Valley Pork Cooperation	Location:				
Reviewer: JMC	Date: January 22, 2013				
Log number: TC-18-13	Type: Agchem Livestock				
Applicant: Edwards Valley Pork	Contact: Stephen A. Swanson				
6412 County Highway 9 Lynn Center, II 61262	Phone: 309-507-0402				
Facility: Same	Property ID: 17-32-300-002-0011 Signature: Stephen A. Swanson				
Legal Description: S: 32 Twp: 15N R: 2E 4th PM:	Title: Designated Representative				
Date Control Devices installed: 9/10/13	Provided Fair cash Value: \$1,300,000				
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: See attached description as well.					
The structures and collection systems are used to collect and dispose of animal waste properly and are considered pollution control systems.					

STATE OF ILLINOIS)
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on December 5, 2014, 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] Stephen A. Swanson 6412 County Highway 9 Lynn Center, Illinois 61262

[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)