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CLERK'S OFFICE

JAN 31 2007

STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

LRV Farms-Prophetstown )  
(Property Identification Numbers )  
2117100001 & 2117100002) )  
) PCB 07- **12**  
) (Tax Certification)

**NOTICE**

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

Larry Verhulst  
2879 Bishop Rd.  
Prophetstown, Illinois 61277

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.

ENVIRONMENTAL PROTECTION AGENCY  
OF THE STATE OF ILLINOIS

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

DATED: January 29, 2007

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**

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STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

LRV Farms-Prophetstown  
(Property Identification Numbers  
2117100001 & 2117100002)

)  
)  
)  
) PCB 07- **12**  
) (Tax Certification)  
)

**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: January 29, 2007  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
(217)782-5544

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JAN 31 2007

STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

LRV Farms-Prophetstown )  
(Property Identification Numbers ) PCB 07- 72  
2117100001 & 2177100002 ) (Tax Certification)  
)

**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 July 26, 2006, the Illinois EPA received a request from LRV Farms (log number TC-06-06, 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 applicants' address is: LRV Farms  
2879 Bishop Rd.  
Prophetstown, Illinois 61277
3. The proposed water pollution control facilities in this request are located at NW Section 17, T19N, R5E of the 4<sup>th</sup> P.M. in Whiteside County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (156 ft. x 102 ft. x 2 ft. deep), with the slotted concrete portion of the floor over the manure pit and three pull plug drains; one glass-lined steel storage tank with a concrete floor for manure storage (98 ft. in diameter x 23 ft. deep); two concrete lift stations (each 6 ft. in diameter x 10 ft. deep) with one 20-horsepower manure transfer pump and one 10-horsepower manure transfer pump; portions of concrete wall to retain manure (120 ft. x 1 ft. deep, 70 ft x 1.5 ft. deep, and 90 ft, x 2.5 ft. deep); approximately 265 feet of 6-inch diameter PVC manure transfer pipe; approximately 300 feet of 8-inch diameter PVC manure transfer pipe; and approximately 150 feet of 10-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, and are further described in Exhibit A.

4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2004), 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

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

Dated: January 29, 2007

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) 782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

Memorandum

To: Connie Tonsor, Division of Legal Counsel
From: Bruce J. Yurdin, Manager, Watershed Management Section
Date: JAN 15 2007
Re: LRV Farms - Prophetstown
Recommendation of Tax Certification
Log # TC-06-06
Property Identification # 2117100001 & 2117100002

RECEIVED
Division of Legal Counsel

Environmental Protection Agency

The Bureau of Water received a request on July 25, 2006 from LRV Farms 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:

LRV Farms
2879 Bishop Rd.
Prophetstown, IL 61277

NW Section 17, T19N, R5E of the 4th P.M. in Whiteside County

Livestock waste management facilities consisting of one concrete manure pit (156 ft. x 102 ft. x 2 ft. deep) with the slotted concrete portion of the floor over the manure pit and three pull plug drains; one glass lined steel storage tank with a concrete floor for manure storage (98 ft. in diameter x 23 ft. deep); 2 concrete lift stations (each 6 ft. in diameter x 10 ft. deep) with 1 20-horsepower manure transfer pump and 1 10-horsepower manure transfer pump; portions of concrete wall to retain manure (120 ft. x 1 ft. deep, 70 ft. x 1.5 ft. deep, and 90 feet x 2.5 ft. deep); approximately 265 feet of 6 inch diameter PVC manure transfer pipe; approximately 300 feet of 8 inch diameter PVC manure transfer pipe; and approximately 150 feet of 10 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.

BJY:TJF:TC-06-06.doc

cc: Tax Cert File



Subject LRV Farms  
Data TC-04-06  
Reviewed by Thadebus Fugitt Date \_\_\_\_\_

12/21/06 spoke with Robert Verhulst

Robert said the slurry store is galvanized steel

The 10" drain line drains manure from the confinement building to the lift station. The 10" line is  $\approx 150$  ft.

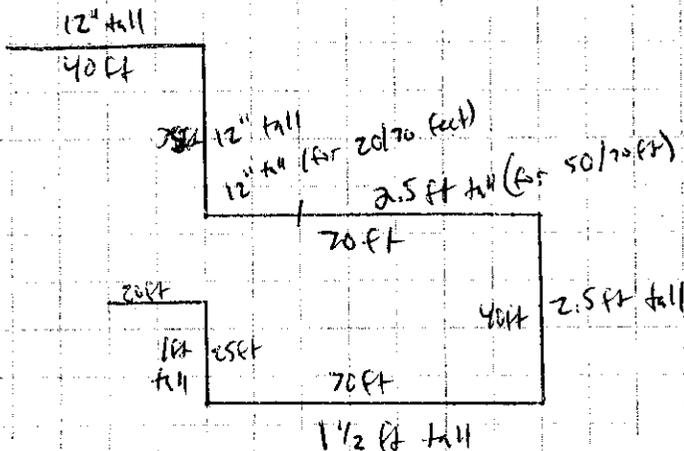
The 8" lines are  $100 \text{ ft each} \times 3 = 300 \text{ ft}$   
one 6" line is 140 ft  
other 6" line is 125 ft = 265 ft

PVC manure transfer pipe (from above):

6" = 265 ft  
8" = 300 ft  
10" = 150 ft

The retaining wall was built specifically to retain manure.

The dimensions are:



1 ft tall  $\rightarrow 40 + 35 + 20 + 25 = 120 \text{ ft}$

1.5 ft tall = 70 ft

2.5 ft tall  $\rightarrow 50 + 40 = 90 \text{ ft}$

TC-06-06

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 LRV FARMS		ROBERT VERHULST
	Person Authorized to Receive Certification LARRY VERHULST		Person to Contact for Additional Details 3814 KINER RD
	Street Address 2819 BISHOP RD		Street Address PROPHETSTOWN, IL 61277
	Municipality, State & Zip Code PROPHETSTOWN, IL 61277		Municipality, State & Zip Code 815-537-2805
	Telephone Number 815-537-5502		Telephone Number PROPHETSTOWN
	Location of Facility Quarter Section SEC Township Range NW 1/4 17 T19N R5E		Municipality Township PROPHETSTOWN
	Street Address 3670 KINER RD, Prophetstown IL		County Book Number WHITESIDE
	Property Identification Number 2117100001 61277		Parcel Number 2117100002
Sec. B  MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location SWINE PRODUCTION FACILITY → SWINE WASTE		
	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 N/A		
	Materials Used in Process		
Sec. D  POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility SEE ATTACHED "PAGE 1" & "PAGE 2"		

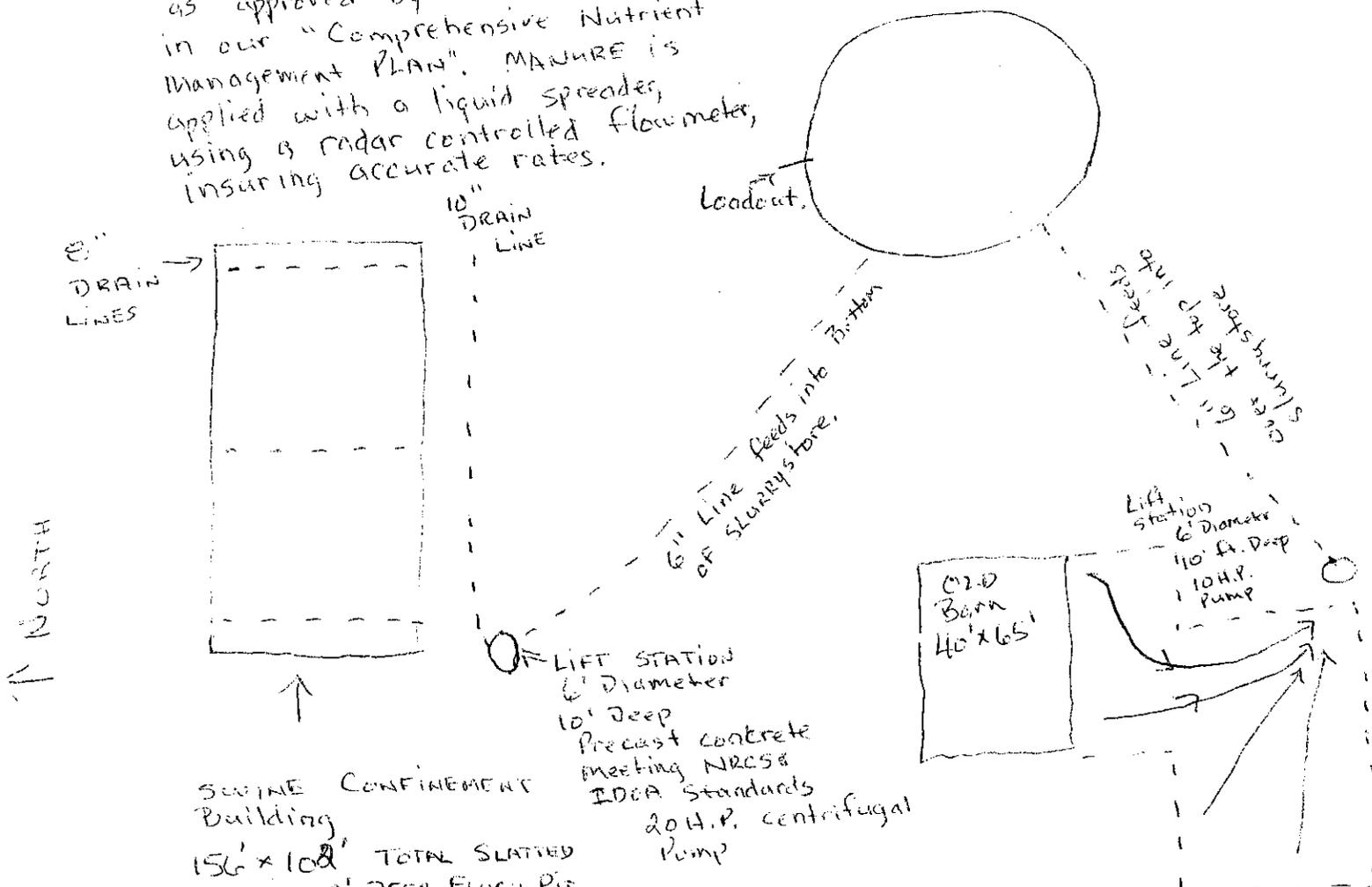
**RECEIVED**  
 JUL 14 2006

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 BOW/WPC/PERMIT SECTION

SECTION D → LIVESTOCK WASTE FLOW

From Slurrystore Loadout, all manure is applied to crop ground according to agronomic standards, as approved by NRCS, contained in our "Comprehensive Nutrient Management Plan". MANURE is applied with a liquid spreader, using a radar controlled flowmeter, insuring accurate rates.

"SLURRYSTORE"  
98' Diameter  
23' Height



SWINE CONFINEMENT Building  
156' x 108' TOTAL SLATTED FLOOR. 2' DEEP FLUSH PIT  
FLOOR & SIDEWALLS ARE STEEL REINFORCED POURED CONCRETE MEETING NRCS & IDOA STANDARDS. SLATTED FLOOR IS PRECAST CONCRETE MEETING NRCS & IDOA STANDARDS.

LIFT STATION  
6' Diameter  
10' Deep  
Precast concrete meeting NRCS & IDOA standards  
20 H.P. centrifugal pump



OUTSIDE FEED LOT  
Approximately 5000 sq. ft.  
Manure flows according to arrows. All outside walls are 2'-4' tall, containing manure and directing flow to lift station  
retaining walls are reinforced concrete, meeting NRCS & IDOA standards.

PAGE 2

The pollution control devices as described on PAGE 1 protect a stream located 3035 ft. away from building, a tile line located 938 ft. from facility, and all groundwater (the water table is from 15-30 feet below surface) by completely containing all manure and contaminated feedlot runoff, directing it to lift stations which then pump it to the Slurrystore, where it is held until it can be agronomically applied to crop ground.

All facilities meet NRCS and ILL. Department of Agriculture regulations and standards. Our ILLINOIS Department of Agriculture Livestock facility number was LF1950160000. The facility received final inspection and was approved in September 2005.

PLEASE NOTE THAT IN SECTION "A"  
Two PACEL Numbers are included. The facility  
does sit on 2 TAX Parcels.

STATE OF ILLINOIS  
COUNTY OF SANGAMON

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**PROOF OF SERVICE**

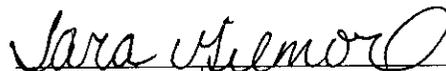
I, the undersigned, on oath state that I have served the attached **APPEARANCE AND THE RECOMMENDATION**, upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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

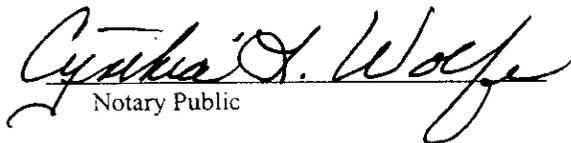
Larry Verhulst  
2879 Bishop Rd.  
Prophetstown, Illinois 61277

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

and mailing it from Springfield, Illinois, on January 29, 2007, with sufficient postage affixed for first class mail.

  
\_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME  
This 29<sup>th</sup> day of January, 2007

  
Notary Public



**THIS FILING IS SUBMITTED ON RECYCLED PAPER**