

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Wabash Valley Service Company)
(Property Identification Number) PCB 18-
14-08-151-005) (Tax Certification)
)

NOTICE

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

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

Kent Ochs
909 N. Court Street
Grayville, Illinois 62844

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an **APPEARANCE and RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 

Michael S. Roubitchek
Assistant Counsel
Division of Legal Counsel

DATED: March 19, 2018

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

**Wabash Valley Service Company
(Property Identification Number
14-08-151-005)**

)
) PCB 18-
) (Tax Certification)
)

APPEARANCE

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: _____



Michael S. Roubitchek
Assistant Counsel
Division of Legal Counsel

DATED: March 19, 2018

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

Wabash Valley Service Company)
(Property Identification Number) **PCB 18-**
14-08-151-005)) **(Tax Certification)**
)

RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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 (“Board”), 35 Ill. Adm. Code 125.204.

1. On September 5, 2017, the Illinois EPA received a request from Wabash Valley Service Company (log number TC-138603, 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 facility’s address is: Wabash Valley Service Company
1562 Illinois Highway 1
Carmi, IL 62821

The proposed water pollution control facilities in this request are located in Section 8, T5N, R10E of the 3rd P.M. in White County, at the above street address and consist of the following:

Liquid agrichemical containment structures consisting of two operational area containment structures (one 17.67 ft. x 40 ft. x 0.74 ft. and the other 14.33 ft. x 40 ft. x 0.15 ft); two secondary containment structures (one 15.5 ft. x 41.33 ft. x 3 ft. and the other 31.5 ft. x 41.33 ft. x 3 ft.); associated collection and recovery systems; and the portion of the building over the containment structures.

These wastewater management facilities are used to maintain the integrity of collection structures by collecting leaked and/or spilled contaminants and

preventing stormwater from washing into chemical spill collection sumps, and are further described in Exhibit A.

3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2016), and Section 125.200(a) of the Board's regulations, 35 Ill. Adm. Code 125.200(a), define "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: eliminating, preventing, or reducing air or water pollution ...or 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.
4. In order to receive preferential tax treatment as pursuant to 35 ILCS 200/11-5 (2016), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2016) and 35 Ill. Adm. Code 125.200(a).
5. Upon receipt of a tax certification application, the Illinois EPA must file a recommendation on the application with the Board, 35 Ill Adm. Code 125.204(a).
6. Based on the information in the application and the purpose of the facility, 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: 
Michael S. Roubitchek
Assistant Counsel
Division of Legal Counsel

Dated: March 19, 2018

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



1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
BRUCE RAUNER, GOVERNOR ALEC MESSINA, DIRECTOR

Memorandum

To: Charles Gunnarson, Division of Legal Counsel
From: Darin LeCrone, Manager, Industrial Unit, Permit Section *DEL*
Date: FEB 09 2018
Re: Wabash Valley Service Company – Carmi
Recommendation of Tax Certification
Log # TC-138603
Property Identification # 14-08-151-005

The Bureau of Water received a request on September 5, 2017 from Wabash Valley Service Company 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:

Wabash Valley Service Company
1562 Illinois Highway 1
Carmi, IL 62821

Section 8, Township 5N, Range 10E of the 3rd PM in White County.

Agrichemical containment structures consisting of two liquid agrichemical operational containment structures and associated collection and recovery systems; two bulk liquid agrichemical secondary containment structures; and the portion of the building over the containment structures as approved under the Agency endorsed Agrichemical Facility Permit No. 92091678 (Log No. 12120875 issued on March 7, 2013).

These facilities collect, transport and store agrichemical rinsates, residues, or washwaters prior to reuse or disposal.

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 217/782-0610.

DEL:TJF:TC-138603.docx

cc: Tax Cert File

Project Name: Wabash Valley Service Company Location: Carmi
 Reviewer: Thaddeus Foyt Date: 2/7/18
 Log No.: TC-138603 Type: Agchem
 Livestock

Applicant: Wabash Valley Service Company Contact: Kent Ochs
909 N. Court Street Phone: 618-842-5631
Grayville, IL 62844 kentochs@wabashvalleyfs.com
618-842-5631

Facility: Wabash Valley Service -- Carmi Property ID: 14-08-151-005
1562 IL Highway 1
Carmi IL 62844
618 842 5631

Legal Description: Section 9, T5N, R10E of 31st PM County: White

Date Control Devices Installed: March 2013 ~~Provided Fair Cash Value:~~ Not on new form

Signature: by kent ochs Title: regulatory safety coordinator

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:
structures eligible for certification include operational & secondary containment
structures for liquid agriculturals.

- See permit AC 92091678 attached to application:
- | | | |
|------|-------------------|----------------------------------|
| OC-1 | 17.67 x 40 x .74 | operational containment (liquid) |
| OC-2 | 14.33 x 40 x 0.15 | operational containment (liquid) |
| SC-1 | 15.5 x 41.33 x 3 | secondary containment (liquid) |
| SC-7 | 31.5 x 41.33 x 3 | secondary containment (liquid) |

The primary purpose of these structures is pollution control

Other: structures described in "Describe the Pollution Control Facility" box on the
application form and in attached permit AC92091678.

Waste flow → any spills/contaminated precipitation contained in structures
and recycled → Effluent recovery system described
in Ag permit AC92091678.

TC-138603

TJF



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Application for Certification (Property Tax Treatment) Pollution Control Facility

FOR AGENCY USE ONLY	
File Number: _____	Date Rec'd: _____
Certification Number: _____	Date: _____

Facility Type (check one): Air Water

This form is to be used for any application for certification of property tax treatment for a pollution control facility for air or water from the Illinois EPA. Separate applications must be completed for each control facility claimed. Do not mix types (air and water). Where both air and water operations are related, file two applications.

If attachments are needed, record them consecutively on an index sheet.

You may complete this form online, save a copy locally, print, sign and submit it to:

Illinois EPA
Attention: Al Keller, Permit Section
Division of Water Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

RECEIVED
SEP 05 2017

IEPA
BOW/WPC/PERMIT SECTION

I. Applicant Information:

Company Name: <u>Wabash Valley Service Company</u>	Person to Contact: _____
Person Authorized to Receive Certification: <u>Kent Ochs</u>	for Additional Details: <u>Kent Ochs</u>
Street Address: <u>909 N. Court Street</u>	Street Address: <u>909 N. Court Street</u>
City: <u>Graville</u> State: <u>IL</u>	City: <u>Graville</u> State: <u>IL</u>
Zip: <u>62844</u> Phone: <u>618-842-5631</u>	Zip: <u>62844</u> Phone: <u>618-842-5631</u>
Email Address: <u>kentochs@wabashvalleyfs.com</u>	Email Address: <u>kentochs@wabashvalleyfs.com</u>

II. Facility Information:

Facility Location: Quarter Section: 08 Township: T05 Range: R10
Municipality: Carmi Township: Hawthorne

Note: A plat map location is requested for facilities located outside of municipal boundaries.

Address: 1562 IL Hwy 1 City: Carmi White Co.
State: IL Zip Code: 62821 County: White Book Number: _____

Property Index Number: 14-08-151-005

Note: The Property Index Number is the numerical reference used to identify a parcel of real property for assessment and taxation purposes.

Manufacturing Operations Information:

Nature of Operations Conducted at the Above Location:

Mixing and Storing Agrichemicals and Fertilizers

Permit Information:

WPC Construction Permit Number: <u>AC92091678</u>	Date Issued: <u>Mar 7, 2013</u>
NPDES Permit Number: _____	Date Issued: _____ Exp. Date: _____
APC Construction Permit Number: _____	Date Issued: _____
APC Operating Permit Number: _____	Date Issued: _____ Exp. Date: _____

Note: Submit copies of all relevant permits issued by local pollution control agencies. (e.g. MSD Construction Permit)

Manufacturing Process Information:

Please provide information on the manufacturing process and materials on which pollution control facility is used, including each major piece of equipment associated with the pollution control facility (or low sulfur dioxide emission coal fueled device).
Description of the Process:

Materials Used in the Process:

Pollution Control Facility Information:

Please provide a narrative description of the pollution control facility (or low sulfur dioxide emission coal fueled device), and an explanation of why its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility, as well as a narrative description and a process flow diagram describing the pollution control facility. Include an average analysis of the influent and effluent of the control facility stating the collection efficiency, if applicable.

Describe the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

Agrichemical containment structures consisting of two operational area containment structures (17.67' x 40'x .74' & 14.33' x 40' x .15'); two secondary containment structures (15.5' x 41.33' x 3' & 31.5' x 41.33' x 3'); the building covering any of said structures which prevents rain water from washing into chemical spill collection sumps thereby maintaining the integrity of the collection device. Associated collection and recovery systems as approved under the Agency endorsed Agrichemical Facility Permit AC92091678.

Describe the Primary Purpose of the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

See attached fact sheet describing the importance of Best Management Practices (BMPs) in controlling pollution around agrichemical operational areas..

Identify the statute or regulation (federal or state), or local ordinance, if any, requiring the installation of the subject pollution control facility (or low sulfur dioxide emission coal fueled device).

Title 8 IL Administrative Code Chapter I; Sub Chapter i; Pesticide Control Agricultural Facilities, Part 255

Nature of Contaminants or Pollutants:

List air contaminants or water pollution substances released as effluents to the manufacturing processes. Also list the final disposal of any contaminants removed from the manufacturing processes.

Contaminant or Pollutant	Material Retained, Captured or Recovered	
	Description	Disposal or Use
Agrichemicals, Fertilizers	Spilled Products	Recycle, reduce, reuse

Note: Contaminant or pollutant means that which is removed from the process by the pollution control facility.

Point(s) of Waste Water Discharge:

Identify the location of the discharge to the receiving stream. This will typically refer to a source of water pollution but can include water-carried wastes from air pollution control facilities.

Plans and Specifications Attached Yes No

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.

Are contaminants (or residues) collected by the control facility? Yes No

Note: If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value dollars reclaimed by the sale or reuse of the collected substances. State the cost of reclamation and related expense.

Project Status:

Date Installation Completed: March 2013

Provide the date the pollution control facility was first placed into service and operated. If not, explain.

Status of installation on date of application:

Operational

III. Verification and Signature:

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.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Kent Ochs
Printed Name:

Regulator and Safety Coordinator
Title:

For incorporated entities, signature should be from an authorized corporate representative.


Signature:

8-31-17
Date:

Document Index for Wabash Valley Service Company Application for Certification:

Carmi Agrichemical Plant

- 1) Application (3 pages)
- 2) Application Index (1 page)
- 3) Evidence to Support Primary Purpose of Building covering Operational and Secondary Containment Structures
- 4) Drawings of Agrichemical facility (2 page)
- 5) Google Earth View of Facility with improvements identified with red box (1 page)
- 6) Agrichemical Facility Permit AC92091678 (3 pages)

Evidence to Support Primary Purpose of Agrichemical Building Covering Inside Operational Containment Areas

The following factual information supports the contention that the building covering the operational containment structures of liquid agrichemical facilities is integral to the best management practices of the subject facilities to minimize exposure of storm water runoff at the product mixing and transfer areas where the highest probability of a leak or spill is present.

“Best management practices (BMPs) are recognized as an important part of the National Pollution Discharge Elimination System (NPDES) permitting process to prevent the release of toxic and hazardous chemicals.”

“Over the years as (BMPs) for many different types of facilities have been developed, case studies have demonstrated not only the success but the flexibility of the BMP approach in controlling releases of pollutants to receiving waters.”¹

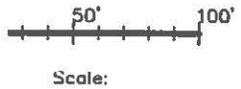
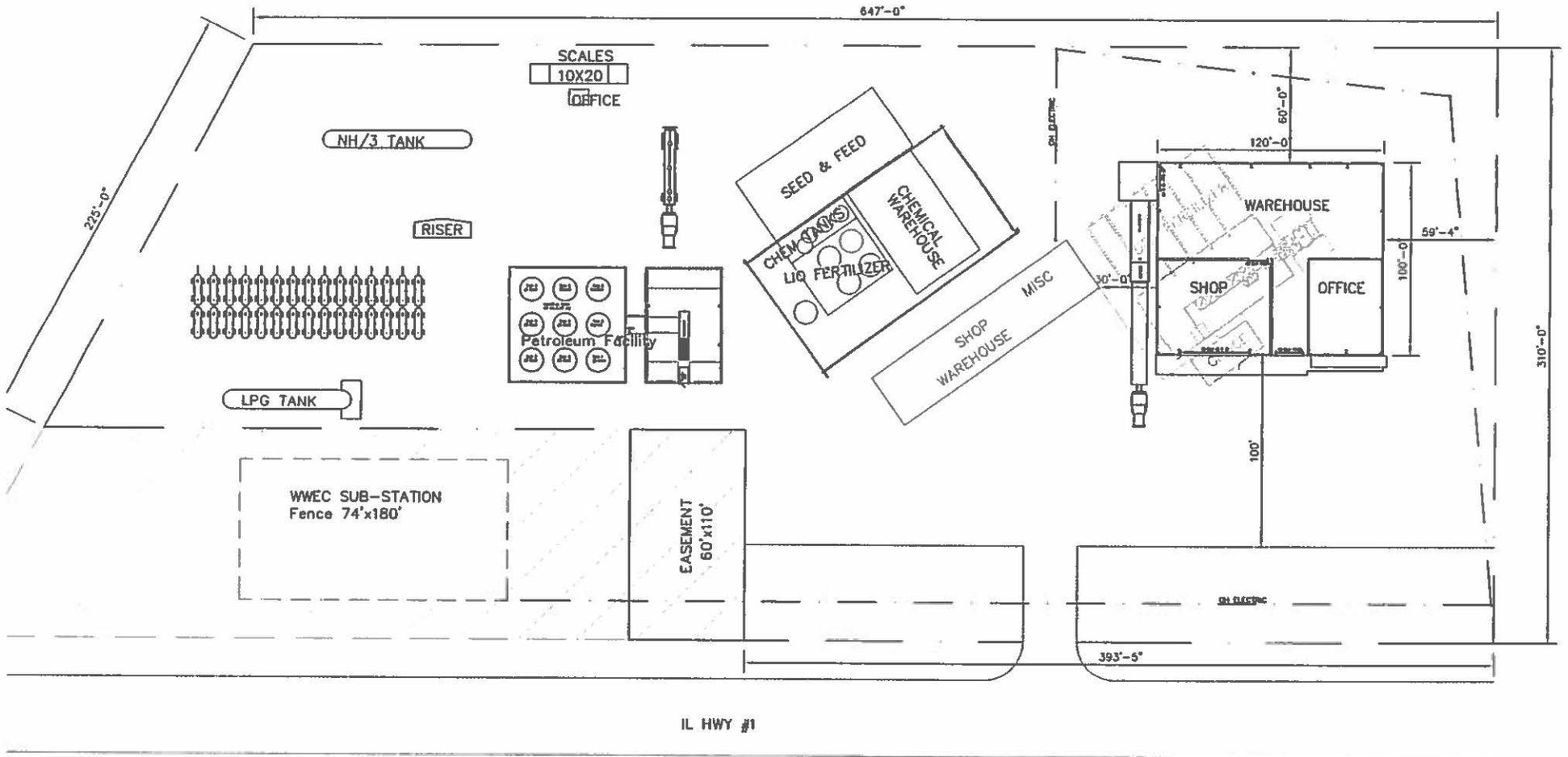
USEPA guidance documents for developing storm water pollution prevention plans mention facility runoff generated principally from rainfall on a plant site.

“Runoff can become contaminated with harmful substances when it comes in contact with material storage areas, loading and unloading areas, in-plant transfer areas, and sludge and other waste storage/disposal sites.”¹

Indoor agrichemical storage, mixing, loading and unloading operational areas handling agriculture fertilizers and pesticides have a significantly lower potential to impact storm water because the potential for exposure to rain causing runoff is greatly reduced.

¹Guidance Manual for Developing Best Management Practices, US Environmental Protection Agency, EPA 833B-93-004, October 1993.

²Storm Water Management for Industrial Activities, Developing Pollution Plans and Best Management Practice, US Environmental Protection Agency, Office of Water, EPA 833-R-92-002, October, 1992.



Scale:

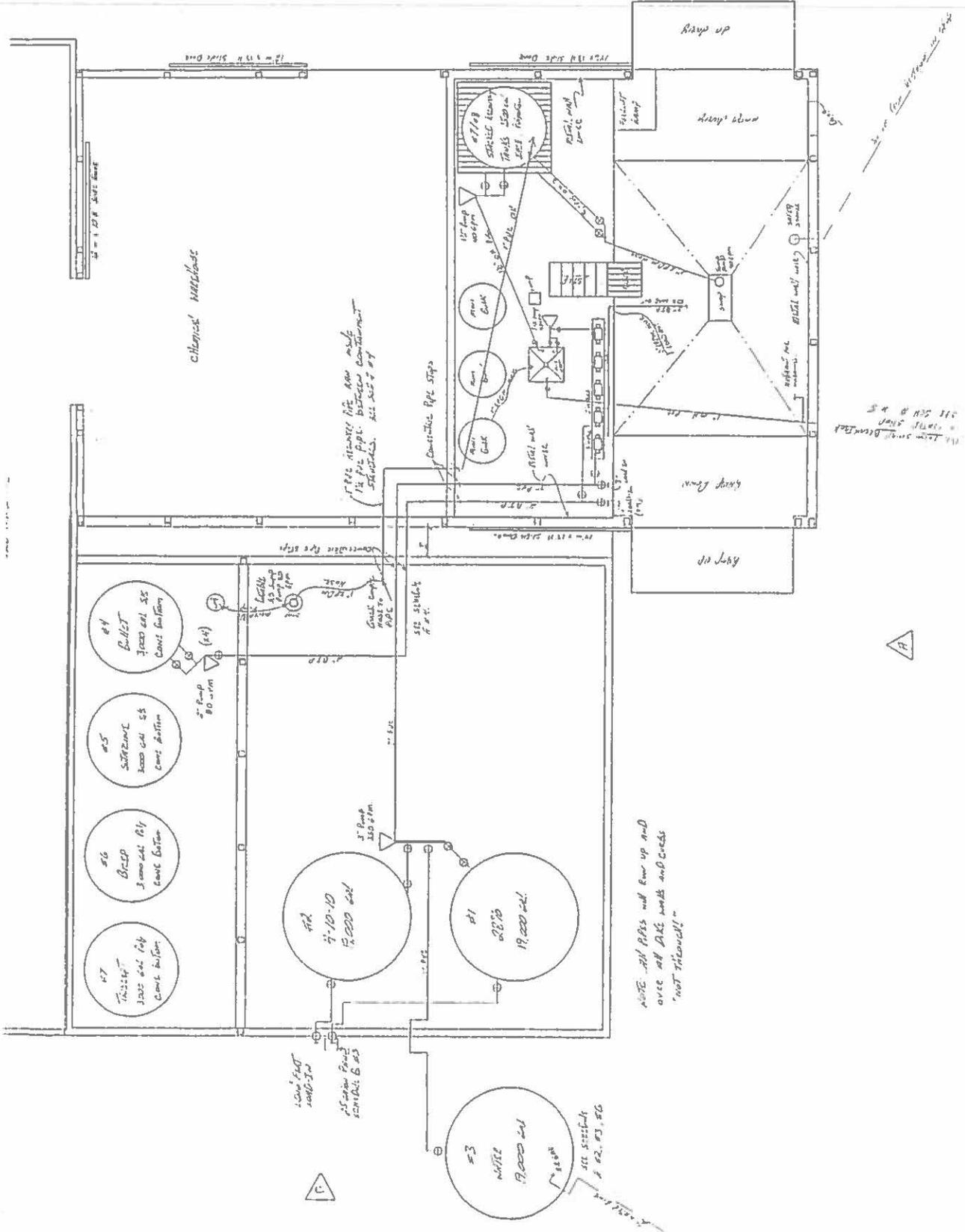
WABASH VALLEY SERVICE CO.
CARMİ FACILITY
No-scale K-Ocha 5/29/12

PLAN SHOWS OLD DRY FERTILIZER BUILDING



Revised 11-26-99

WABASH VALLEY SCIENCE TO
CERES FACILITY
B-109 LEAD LEAD-CONT
Piping Plan
SCALE 1/8" = 1'-0" 1/8" = 1'-0"



3' x 8' x 10' 116
4' x 8' x 10' 116
116' 116' 116' 116'

NOTE - all P&IDs will run up and
over all A&E with addresses
"NOT THROUGH!"





State of Illinois
Department of Agriculture
AGRICHEMICAL CONTAINMENT PERMIT

Permittee: Wabash Valley Service Company 909 N. Court St. Grayville, IL 62844	Facility ID Number: AC1933120000 Facility Location: Carmi
Permit #: AC92091678 Facility Type: Commercial: Retail Dealer Date Issued: March 7, 2013	Log Number: 12120875 Date Received: December 3, 2012 Expiration Date: March 7, 2018

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 measuring 17.67' (width) x 40' (length) x 0.74' (height) with a total design capacity of 318 cubic feet (ft.³). The floor shall slope to a single sump measuring 2' (width) x 4' (length) x 0.8' (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) 1,500 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 washing of bulk liquid agrichemical transportation and application equipment shall be performed upon the said structure. This structure shall be referred to as **OC-1**.

Operation of an existing reinforced concrete operational containment structure measuring 14.33' (width) x 40' (length) x 0.15' (height) with a total design capacity of 28 cubic feet (ft.³). The floor shall slope to a single sump measuring 1' (width) x 1' (length) 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 1,500 gallon recovery tanks with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. All mixing of liquid agrichemicals shall be performed upon the said structure. This structure shall be referred to as **OC-2**.

SECONDARY CONTAINMENT STRUCTURES

Operation of an existing reinforced concrete secondary containment structure measuring 15.5' (width) x 41.33' (length) x 3' (height) with a total design capacity of 1,120 cubic feet (ft.³). The floor shall slope to a single sump measuring 1.5' (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 1,500 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
AGRICHEMICAL CONTAINMENT PERMIT

Operation of an existing reinforced concrete secondary containment structure measuring 31.5' (width) x 41.33' (length) x 3' (height) with a total design capacity of 5,086 cubic feet (ft.³). The capacity shall include the volume provided by overflow into SC-1. The floor shall slope to a single sump measuring 1.5' (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 1,500 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.

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 Ill. Adm. Code 890) and the Illinois Environmental Protection Agency's Technical Policy Statement (35 Ill. Adm. Code 653.803(c)(4).

SPECIAL CONDITION 2: The permittee shall not discharge accumulated precipitation from the herein permitted containment structures.

SPECIAL CONDITION 3: The permittee shall employ concentric piping for the piping span from the bulk liquid fertilizer secondary containment structure (SC-2) to the operational containment structure (OC-1).

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



Warren D. Goetsch, P.E.
Chief, Bureau of Environmental Programs

193312.pr



STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)
)
)

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of March 19, 2018, the attached APPEARANCE and RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, upon the following persons by causing to be mailed a true copy thereof in an envelope duly addressed, bearing proper first class postage, and deposited in the United States mail at Springfield, Illinois:

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

Kent Ochs
909 N. Court Street
Grayville, Illinois 62844

[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/ Michael S. Roubitchek
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)

THIS FILING IS SUBMITTED ON RECYCLED PAPER