

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Sunrise FS - Havana
(Property Identification Number
09-12-100-003)

)
) PCB No. 25 -
) (Tax Certification)
)

NOTICE

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, copies of which are herewith served upon you.

Sunrise FS - Havana
Glenda Postin
20735 IL Hwy 125
P.O. Box 108
Virginia, Illinois 62691

Don Brown, Clerk
Illinois Pollution Control Board
60 East Van Buren, suite 630
Chicago, Illinois 60605

Copies also provided electronically as follows:

Illinois Department of Revenue
via email at REV.PropTaxApp@illinois.gov
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: _____



Gabriel Neibergall
Assistant Counsel
Division of Legal Counsel

DATED: December 20, 2024

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


Sunrise FS - Havana
(Property Identification Number
09-12-100-003)

)
) **PCB No. 25-**
) **(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: 

Gabriel Neibergall
Assistant Counsel
Division of Legal Counsel

DATED: December 20, 2024

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

Sunrise FS - Havana)
(Property Identification Number) PCB No. 25-
09-12-100-003)) (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 December 18, 2023, the Illinois EPA received a request from Sunrise FS - Havana (Log number TC-151222, 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:

Sunrise FS - Havana
1216 S. Water Street
Havana, Illinois 62644

The proposed water pollution control facilities in this request are located in the NW ¼ of Section 12, T21N, R9W of the 3rd P.M. in Mason County, at the above street address and consist of the following agrichemical containment structures:

A concrete bulk dry agrichemical operational containment structure for loader transfer of bulk dry fertilizer between storage and the hopper (located in dry fertilizer storage building) measuring approximately 34 ft. (width) x 152 ft (length) and the portion of the building over this operational containment structure.

A concrete truck loading area for the loading of bulk dry fertilizer transportation and application equipment (located in the truck loadout building) measuring 40 ft. (width) x 100 ft. (length) and the portion of the building over this operational containment structure.

A concrete operational containment structure for the blending of bulk dry fertilizer within the operational blender room (located in the truck load out building) 20 ft. (width) x 57 ft. 5 ¼ in. (length) and the portion of the building over this operational containment structure.

These agrichemical facilities collect, store, or prevent the comingling of precipitation with agrichemical rinsates, residues, or washwaters prior to reuse or disposal as approved under the Agency endorsed Agrichemical Facility Permit No. AC92051414 (Log No. 22063671 issued on September 3, 2022) and prevent stormwater runoff from agrichemical affected areas.


3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2022), 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 (2022), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2022) 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: 
Gabriel Neibergall
Assistant Counsel
Division of Legal Counsel

Dated: December 20, 2024

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

JB PRITZKER, GOVERNOR

JAMES JENNINGS, ACTING DIRECTOR

Memorandum

To: Mike Roubitchek, Division of Legal Counsel

From: Darin E. LeCrone, P.E. Manager, Permit Section, Division of Water Pollution Control, Illinois Environmental Protection Agency *DLE*

Date: DEC 10 2024

Re: Sunrise FS - Havana
Recommendation of Tax Certification
Log No.: TC-151222
BOW ID No.: W1258040003
Property Index Number: 09-12-100-003

The Bureau of Water received a request on December 18, 2023 from Sunrise FS, having a principal place of business at 20735 IL Hwy 125, PO Box 108, Virginia, IL 62691, 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:

Sunrise FS
1216 S. Water Street
Havana, IL 62644

NW ¼ of Section 12, Township 21N, Range 9W of the 3rd PM in Mason County.

Agrichemical containment facilities consisting of:

A concrete bulk dry agrichemical operational containment structure for loader transfer of bulk dry fertilizer between storage and the hopper (located in dry fertilizer storage building) measuring approximately 34 ft. (width) x 152 ft (length) and the portion of the building over this operational containment structure.

A concrete truck loading area for the loading of bulk dry fertilizer transportation and application equipment (located in the truck loadout building) measuring 40 ft. (width) x 100 ft. (length) and the portion of the building over this operational containment structure.

A concrete operational containment structure for the blending of bulk dry fertilizer within the operational blender room (located in the truck load out building) 20 ft. (width) x 57 ft. 5 ¼ in. (length) and the portion of the building over this operational containment structure.

These agrichemical facilities collect, store, or prevent the comingling of precipitation with agrichemical rinsates, residues, or washwaters prior to reuse or disposal as approved under the Agency endorsed Agrichemical Facility Permit No. AC92051414 (Log No. 22063671 issued on September 3, 2022) and prevent stormwater runoff from agrichemical affected areas.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
115 S. LaSalle Street, Suite 2203, Chicago, IL 60603
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000

595 S. State Street, Elgin, IL 60123 (847) 608-3131
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

Page No. 2

Tax Certification Recommendation

Log No. TC-151222

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.

These facilities are further described in the enclosed applications and supporting documents.

If you have any questions regarding the above, please contact Stephanie Burge-Bollero at 217/557-8666.

SAB:TC-151222_Tax Cert Recommendation_09Dec24.docx

cc: Tax Cert File

Illinois EPA - Bureau of Water - Division of Pollution Control

Title 35 Subtitle A Part 125 Tax Certifications

Illinois EPA Review Notes for:

Agency Recommendation of Pollution Control Facilities.

BOW ID #: 1258040003

Project Name: Sunrise FS

Pollution Control Facility Type:
Agrichemical Facility

Date application received: 12/18/2023

Property ID: 09-12-100-003

Reviewer: SAB

Log number: TC-151222

Applicant: Jim Meinhart, General Manager
20735 IL Hwy 125
PO Box 108
Virginia, IL 62691

Legal Description:

NW ¼ of Section 12, Twp: 21N, Range: 9W of the
3rd PM.

Facility: Sunrise FS
1216 S. Water Street
Havana, IL 62644

County: Mason

Facility Contact: Glenda Postin
20735 IL Hwy 125
PO Box 108
Virginia, IL 62691

Date Control Devices installed:
Application Signature by: Jim Meinhart

Title: Manager

Phone: 217/452-3931

Contents of Application: Application for Certification (Property Tax Treatment) Pollution Control
Facility, Facility diagrams/drawings, Dry Fertilizer Agrichemical Facility
Permit

Is there a pollutant control flow diagram? Choose an item.
N/A

Is there sufficient diagrams showing the pollution control facilities? Yes

This facility generates the following pollutants and prevents their discharge as indicated:

Bulk agrichemical fertilizer and or pesticide rinsate and spillage is recycled at the facility and/or land
applied to crop land.

Physical description of pollution control facilities that ARE recommended:

Loader operational area (34' x 152' = 5,168 sq ft)

Truck loading portion of the building complex (40' x 100' = 4,00 sq ft)

Operational Blending Room (20' x 57' 5 ¼" = 1,150 sq ft)

Total of these 3 operational areas is 10,318 square feet

Illinois EPA Log #: TC-151222
Page 2 of 2

Notes:

Comments submitted to applicant on 08/26/2024. Supplemental/revised application information submitted to IEPA by applicant on 8/27/24. Email sent to applicant on 10/8/24 to request clarification on facility location/legal description. Applicant provided updated/corrected information from Mason County on 12/02/2024 via email.

Nothing follows – SAB - (December 3, 2024)

Burge-Bollero, Stephanie

From: Postin, Glenda (Sunrise FS) <gpostin@sunrise-fs.com>
Sent: Monday, December 2, 2024 10:48 AM
To: Burge-Bollero, Stephanie
Cc: honegger@charter.net; Ayres, Josh (Sunrise FS)
Subject: [External] FW: Parcel Address
Attachments: 20241202080502110.pdf

Categories: Tax Cert, To Do

Stephanie

This was emailed to me today, after I double checked with the Mason County assessor's office last week. The 911 director (Richard) has corrected the site address to the parcel 0912100003 (attached). The GIS maps also shows the correct address. The parcel search on their website has not updated as of yet, however, as mentioned, the parcel search report from their office, (attached) does have the correction.

I hope this is satisfactory.

Thank you

Glenda Postin
Sunrise FS
20735 J.L HWY 125
PO Box 108
Virginia, FL 62691
Office: (217) 452-3931 ext. 302
Cell: (309) 338-1442

From: Kristi Poler <assessor@masoncountyiil.gov>
Sent: Monday, December 2, 2024 8:17 AM
To: Postin, Glenda (Sunrise FS) <gpostin@sunrise-fs.com>
Subject: Parcel Address

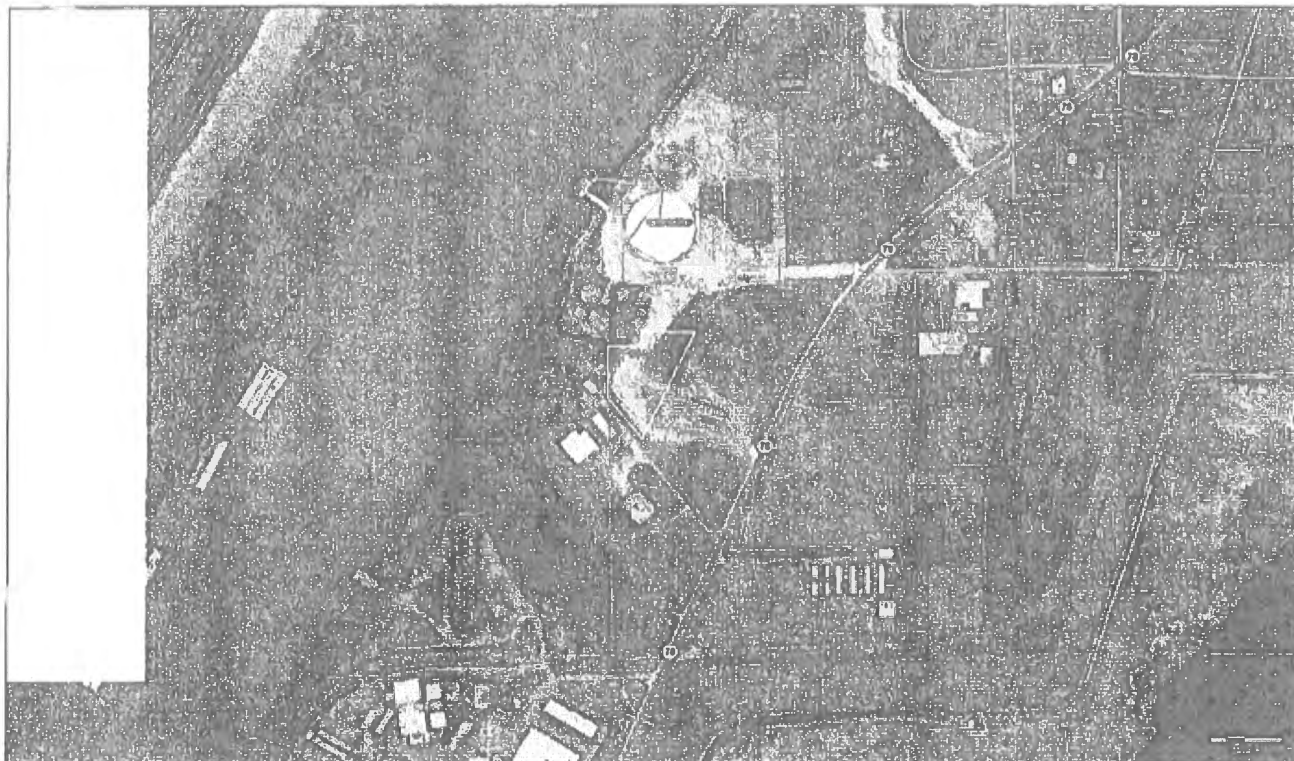
You don't often get email from assessor@masoncountyiil.gov. [Learn why this is important](#)

This message was sent from outside the GROWMARK Enterprise. Please do not click links, respond directly to sender or open attachments unless you recognize the source of this email and know the content and trusted sender are safe.

Hi Glenda,

We added the physical address to the parcel screen which I have attached. On the maps, Richard added the 1216 S. Water address to this parcel in our GIS and when I look at our online map it is showing up on the left hand information bar, but when I look the parcel up here in the office on our desk top maps it still is not showing up on this parcel. We are trying to work this out with our vendors, but no one seems to be able to figure it out.

I am hoping because the online search is now showing the 1216 S. Water address, maybe that will work for you in your dealings with the State.



Type notes here

Printed
12/02/2024

The purpose of this map is to display the geographic location of a variety of data sources frequently updated from local government and other agencies. Neither WTH Technology nor the agencies providing this data make any warranty concerning its accuracy or merchantability. And no part of it should be used as a legal description or document.

0912100003

General

Owner and General Parcel Information

Property Card	Show Property Card
Alternate Parcel Number	051795000
Parcel Number	0912100003
Owner1 Name	SUNRISE AG SERVICE COMPANY
Owner1 Address	PO BOX 108 VIRGINIA IL 626910108
Owner2 Name	
Owner2 Address	
Site Address	1216 S WATER HAVANA IL 62644
MailTo Address	PO BOX 108 VIRGINIA IL 626910108
Legal Description	PT NW1/4 (EX LEASED) 12 21 9 126
Gross Acreage	15.95

Tax Year:

2024

Parcel Information Report
Mason County
09-12-100-003-

Page 1 of 1
12/02/2024 7:55:20 AM

Parcel No	Township	Tax Code	Property Class	Land Use	1977 Base Value	Senior Freeze Year
09-12-100-003-	Havana Township	05052T2	0080		0	
Alternate Parcel No	Homesite Acres	Farm Acres	Gross Acres	TIF Base	EZone Parcel	Senior Freeze Value
051795000	0.0000	0.0000	15.9500	103,035	NO	0
Parcel Status	Activation Year	Lot Dimension		Level Activated	Township Assessor	
	1900					

Owner Name and Address
SUNRISE AG SERVICE COMPANY
PO BOX 108
VIRGINIA, IL 62691-0108

Alternate Name and Address

Parcel Sales

Site Address
1216 S WATER
HAVANA, IL 62644

Legal Description
PT NW1/4 (EX LEASED) 12 21 9 126

Parcel Notes

Assessment Information

Category	Partial Bldg Ind	Farm Land	Farm Building	Non Farm Land	Non Farm Building	Mineral	Total New Construction	Total Demolition	Assessment Total
Prior Year Equalized	N	0	0	17,716	468,853	0	0	0	486,569
Township Assessor	N	0	0	17,716	468,853	0	0	0	486,569
Supervisor of Assessments	N	0	0	17,716	468,853	0	0	0	486,569
S of A Equalized	N	0	0	18,309	484,560	0	0	0	502,869
Board of Review	N	0	0	18,309	484,560	0	0	0	502,869
Assessment Category		Homesite Dwelling Factor		Farm Land/ Building Factor	Non Farm Land Factor		Non Farm Building Factor		
S of A Equalized		1.0000		1.0000	1.033500		1.033500		

Parcel Genealogy:



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 pollution control facility claimed. Send the application only to the appropriate address listed below. Do not mix types (air and water). Where both air and water operations are related, send applications to each of the addresses.

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

Note: This form should be completed within Acrobat before being saved, printed, signed, and submitted.

Air: Illinois EPA

Attention: William D. Marr, Permit Section
Bureau of Air
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

Water: Illinois EPA

Attention: Darin LeCrone, Permit Section
Bureau of Water
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

I. Applicant Information

Company Name: Sunrise FS

Person Authorized to Receive Certification Name: <u>Jim Meinhart, General Manager</u> Street Addr: <u>20735 IL Hwy 125 PO Box 108</u> City: <u>Virginia</u> State: <u>IL</u> ZIP: <u>62691</u> Phone: <u>217/452-3931</u> Email: _____	Person to Contact for Additional Information Name: <u>Glenda Postin, controller</u> Street Addr: <u>20735 IL Hwy 125 PO Box 108</u> City: <u>Virginia</u> State: <u>IL</u> ZIP: <u>62691</u> Phone: <u>217/452-3931</u> Email: <u>gpostin@sunrise-fs.com</u>
---	---

II. Facility Information

Facility Location: Quarter Section: 11 Township: T21N Range: R9W
Municipality: Havana Township: Havana

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

Address: 1216 S. Water Street City: Havana

State: IL Zip Code: 62644 County: Mason Book Number: _____

Property Index Number: 09-12-100-003

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

Loading, unloading, and storage of fertilizer

Permit Information

WPC Construction Permit Number: AC92051414

Date Issued: Sep 3, 2022

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).

This Agency is authorized to request this information under 415 ILCS 5/4(b)(2012). Disclosure of this information is voluntary and no penalties will result from the failure to provide the information. However, the absence of the information could prevent your application from being processed or could result in denial of your application.

IL 532-0222

APC 151 Rev. 5/2021

Application for Certification (Property Tax Treatment) Pollution Control Facility

Page 1 of 3

RECEIVED
DEC 18 2023

IEPA
BOW/WPC/PERMIT SECTION

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

Not Applicable

Materials Used in the Process

Not Applicable

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).

See Attached Addendum

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

The dry fertilizer storage and operational containment areas are designed to eliminate, prevent or reduce surface runoff of agrichemicals and fertilizer by covering the exposed operational areas to prevent exterior weather elements from coming in contact with residue that spills during normal operations of handling agriculture fertilizers from storage to field applicators.

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 Administration Code Chapter I: Sub Chapter i: Pesticide Control: Part 255 Agrichemical Facilities

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.

Material Retained, Captured or Recovered		
Contaminant or Pollutant	Description	Disposal or Use
Dry Fertilizer	Spilled Products	Reduce, Recycle, 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:

- Point(s) of discharge to receiving stream; and
- 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, 2007

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

Dry Fertilizer Facility; April, 2007

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))

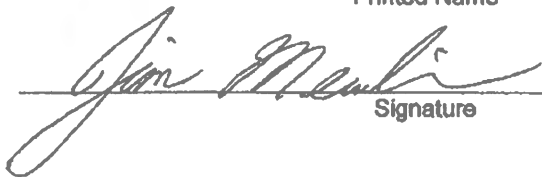
For incorporated entities, signature should be from an authorized corporate representative.

Jim Meinhart

Printed Name

General Manager

Title


Signature

12-13-12
Date

Document Index

Sunrise FS (Havana)

Dry Fertilizer Storage Facility

- 1) Application (3 pages)
- 2) Document Index (1 page)
- 3) Addendum to Application (13 pages)

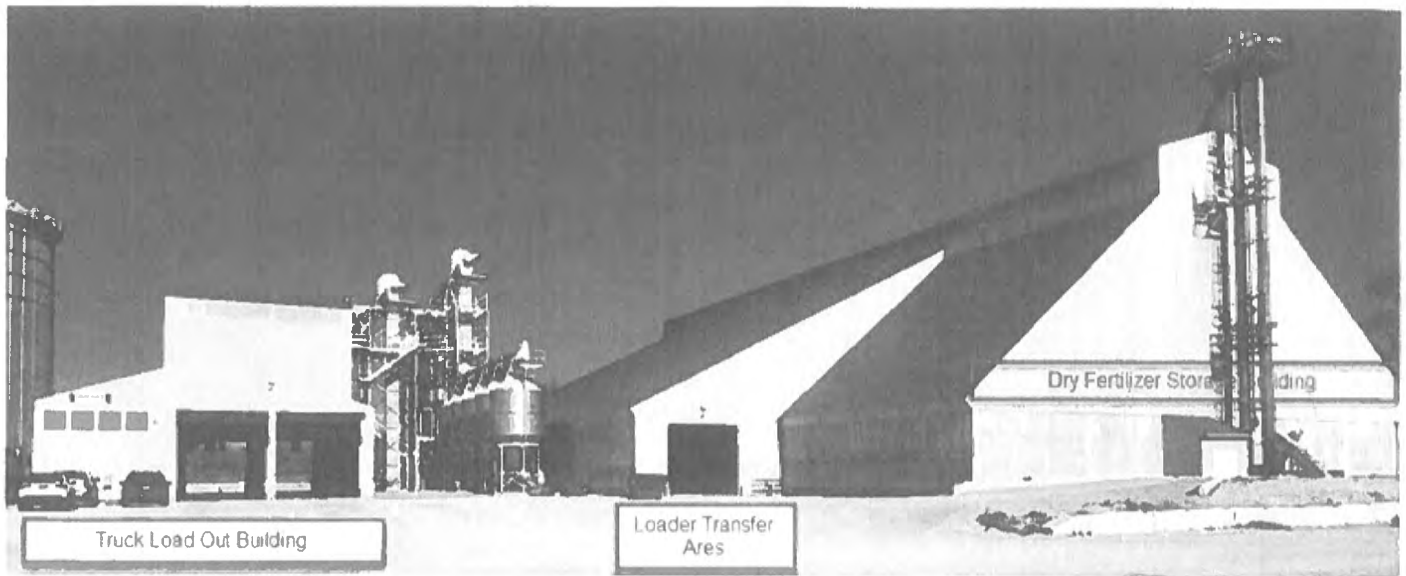


Figure 1

The building to the left is the 60' x 100' truck load out building (two truck bays)

Right overhead door is access to the 34' x 152' loader transfer area of dry fertilizer storage building

The portion of the building to the right of the loader area is the 120' x 208' dry fertilizer storage building



Figure 2

View of 34' x 152' loader transfer area of dry fertilizer storage building

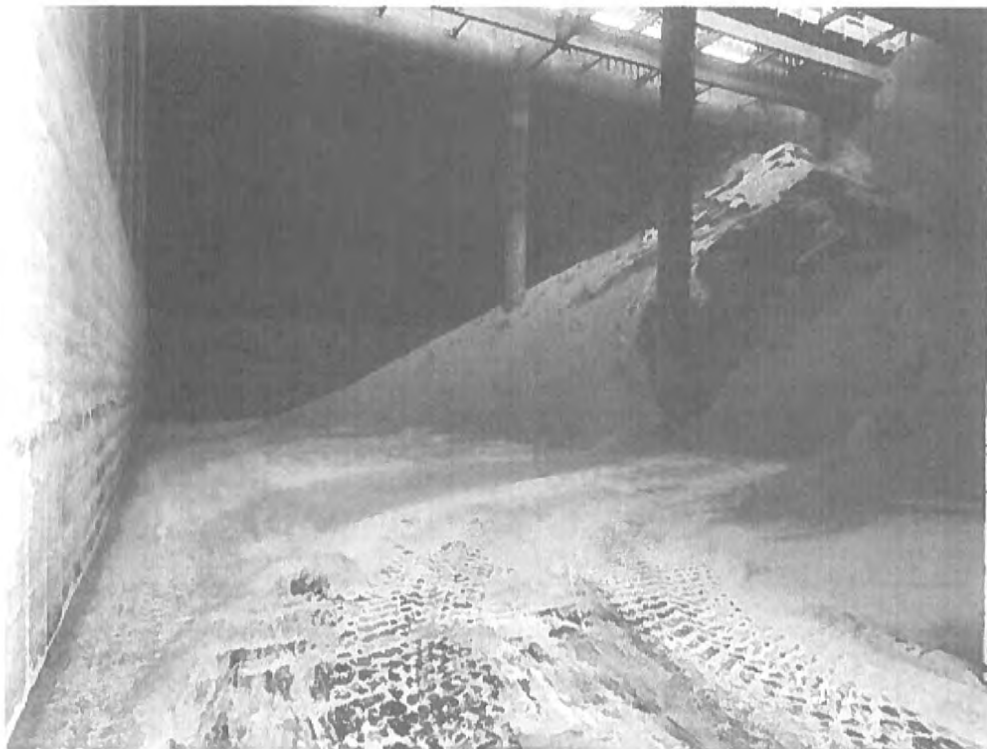


Figure 3

View of typical dry fertilizer storage bin within the dry fertilizer storage building



Figure 4

View 60' wide by 100' long fertilizer loading and blending building



Figure 5

View of 20'x 57'-5 1/4" blender room adjacent to two truck loadout bays

See floor diagram figure 7

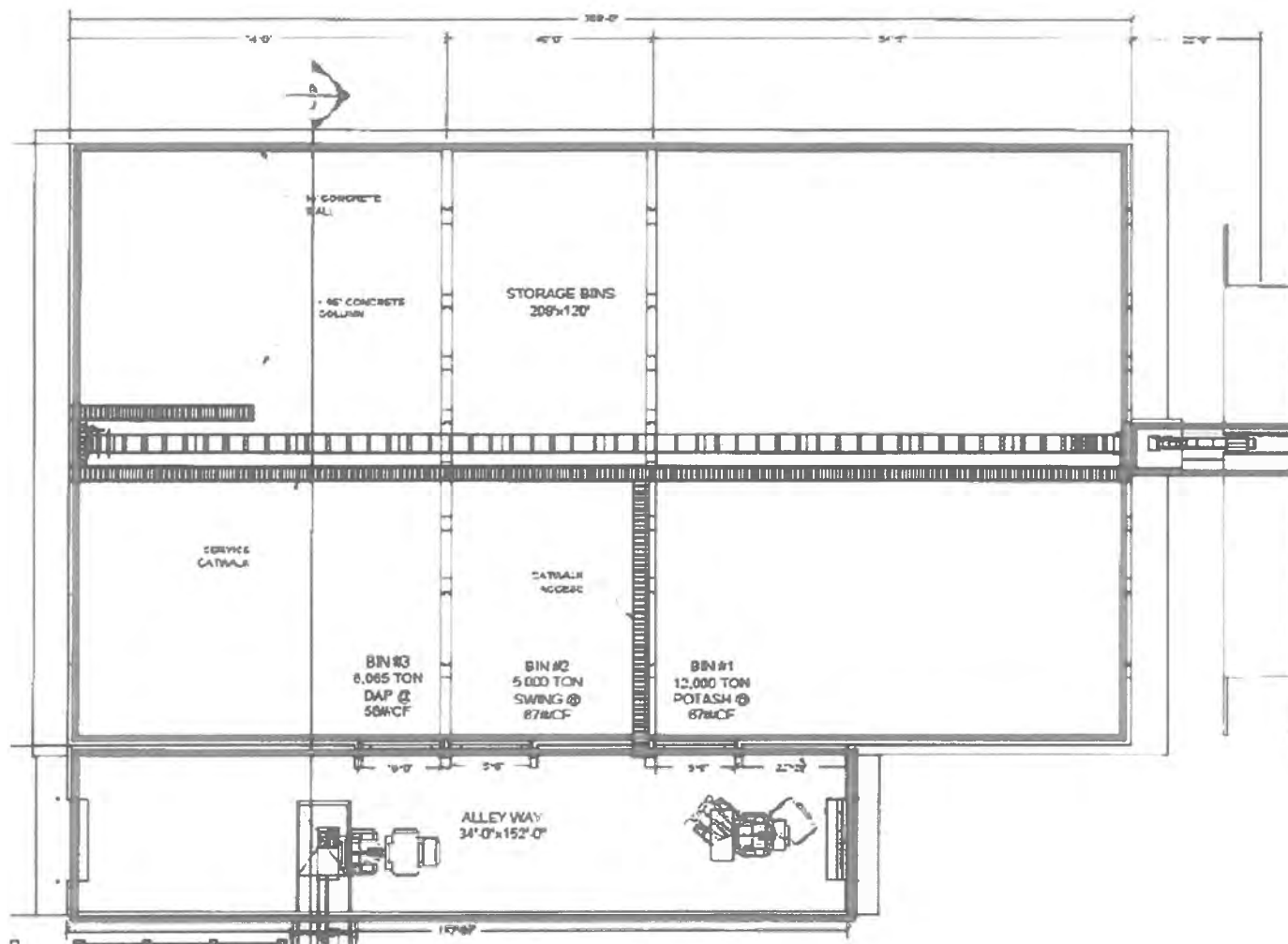


Figure 7

Floor diagram of dry fertilizer storage outlined in green (120' x 208')

Loader operational area outlined in red (alleyway) (34' x 152')

Uncovered concrete truck unloading pad outlined in blue (14' x 27')

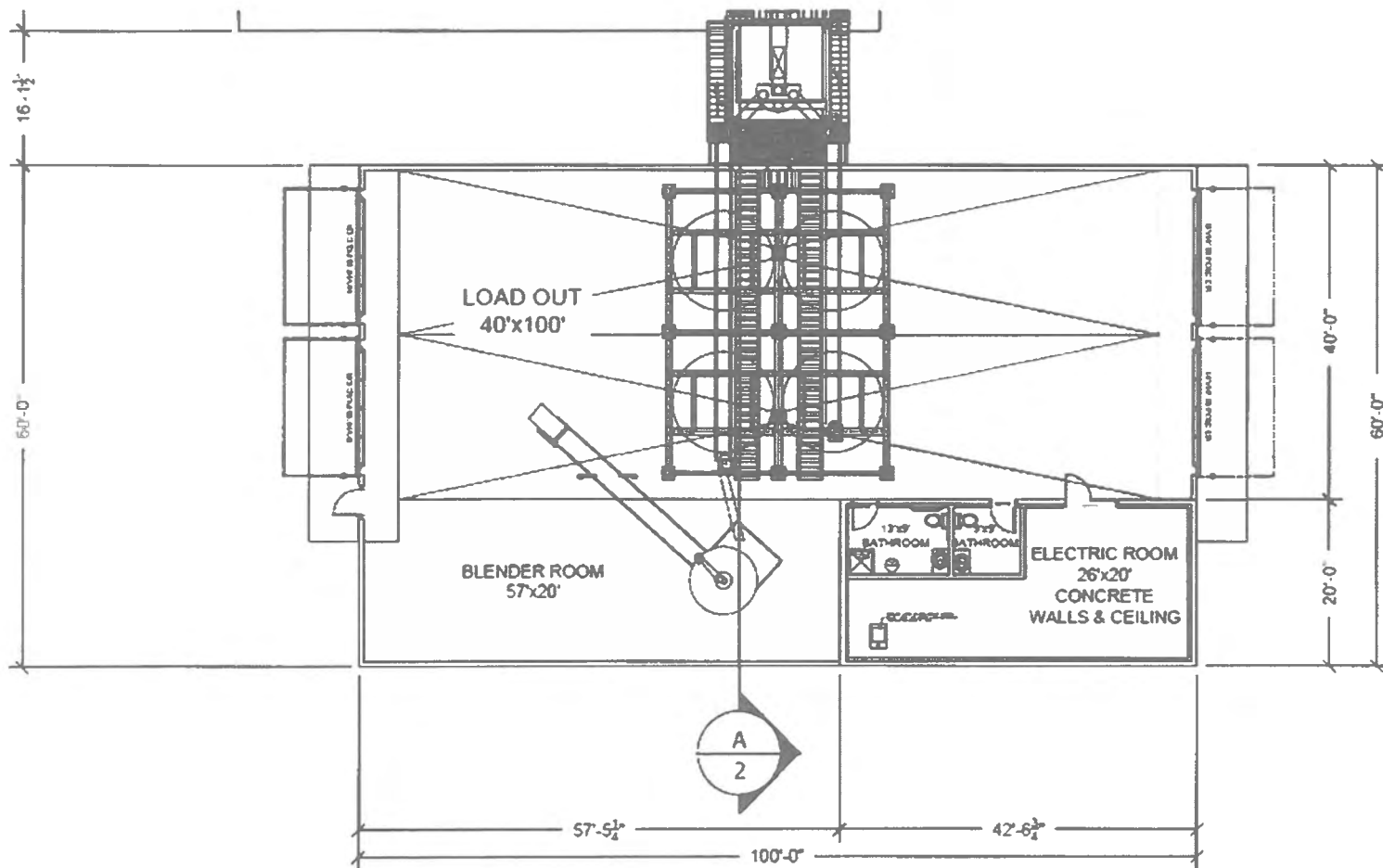


Figure 8

Floor diagram of 60' x 100' loadout building

(Entire building is called out on the Agrichemical Containment Permit although a 42' 6^{1/4}" x 20' section is bath rooms and control room)

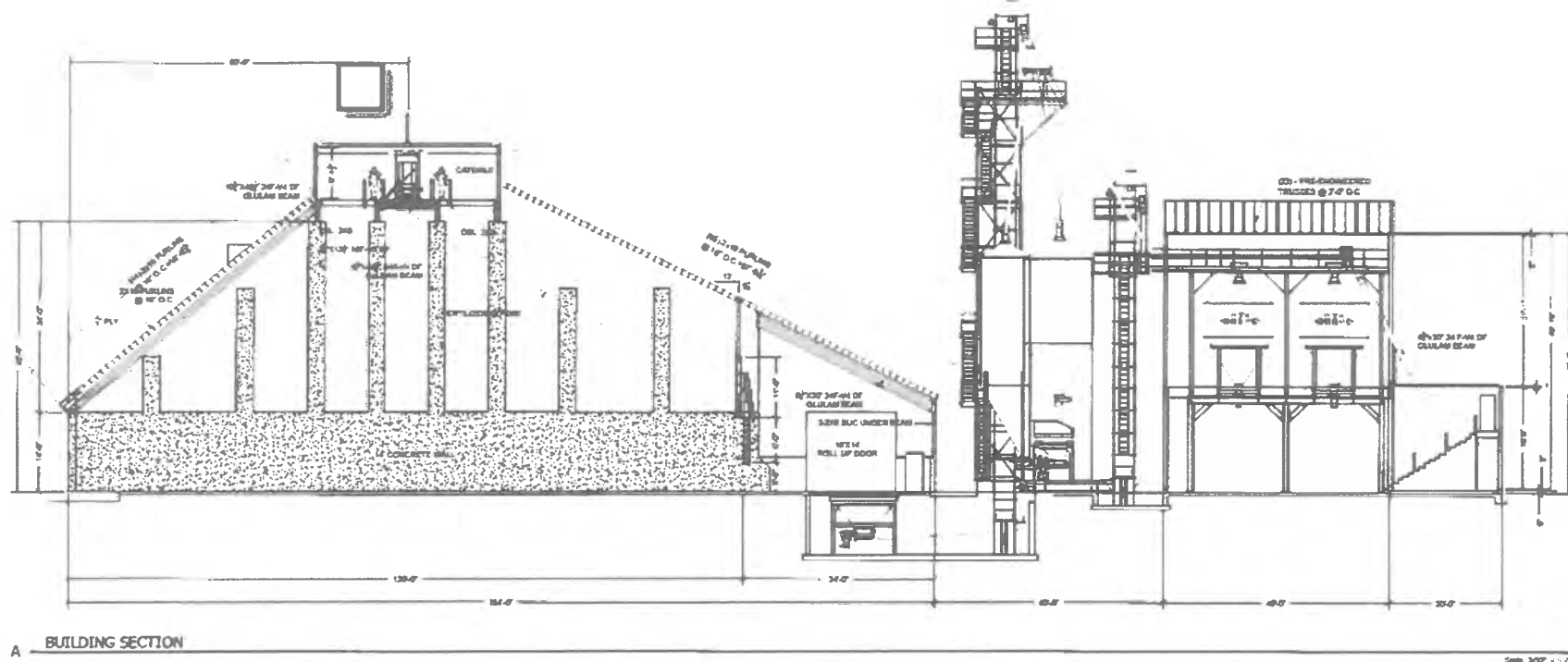


Figure 9

Dry Fertilizer Building Complex Cross Section – Depicts some of the exposed concrete operational areas that are not covered with a building structure and therefore, for simplicity purposes, were not mentioned in this addendum although they do qualify for certification. Examples of exposed concrete containment would be the concrete under the blending area and vertical elevator that lies between the dry building and the loadout building. In addition, the containment permit includes an off-site barge unloading containment area and a truck loading concrete containment area. These two concrete containment areas are not included in this certification application.

The dry fertilizer storage portion of the dry fertilizer building complex (120' x 208') qualifies for certification as a pollution control improvement by the authority of part 255.140 (a) of Title 8 Illinois Administrative Code, Chapter I Sub Chapter i. This determination has been previously affirmed by the Illinois Pollution Control Board in their PCB 24-23 Decision .

The operational containment sections of the subject dry fertilizer complex that are being proposed in this application as qualifying for certification as pollution control devices include the following:

- 1) The loader operational area (34' x 152"). This is the portion of the dry fertilizer complex adjacent to the dry fertilizer storage bins. The loader operational area is used to move dry fertilizer from the storage bins to a below ground level receiving pit which then in turn feeds a vertical elevator leg that moves the dry fertilizer to outside overhead holding bins.
- 2) The truck loading portion of the building complex (60' x 120'). This is the area where blended dry fertilizer is loaded from one of the four overhead holding bins into transportation trucks and/or application equipment.
- 3) The Operational Blending room adjacent to the truck loadout area that measures 20'x 57' 5 1/4". This area is a special blending area used to blend specialized ingredients in with the standard dry fertilizer formulations.

The total of these three operational areas is 13,518 square feet.

Section 255.140 of Title 8 of the Illinois Administrative Code states, in part, "Dry fertilizer materials shall be stored and handled in a manner to prevent pollution by minimizing losses to the air, surface water, underground water or subsoil," and containment devices or structures may include "enclosing handling areas" (Section 255.140(d)4. Enclosing the subject's operational containment areas of the dry fertilizer building meet the containment requirements as stated.

To further illustrate that the primary purpose of the building is for pollution control consider the following: If the subject operational areas were curbed with a 6" concrete curbing and sloped exits, then an unroofed operational area of the subject would contain a 6" rain event which is equivalent to a 50-year 24-hour storm. This would be the minimum requirement of an expose concrete containment area as stated in 255.80 b)(1). The following table calculates the volume of rain that a 6" rain event would accumulate on the subject secondary containment with no roof.

Dry Containment Area	Volume per inch of rain	Volume, 25-Yr. Rain (6")
13,518 sq. feet	8,426 gal ((13,518 x 7.48)/12)	50,557 gallons

The subject dry fertilizer operating areas were designed to be enclosed. If the operating areas were not enclosed with a building and the operational areas were exposed to the elements, regulations would require a pollution containment system with a minimum storage capacity of 50,000 gallons.

Without the building covering the dry fertilizer operational areas, a 250,000-gallon tank would be required to store enough rinsate to accommodate 80% of the rain that occurs during the growing season in Mason County. (See exhibit B). Over a 20-year period the combined cost of 1) constructing such a holding tank and then 2) truck spraying the accumulated rinsate on fallow or bare fields would more than double the cost to mitigate

rainwater runoff compared to the cost of a building to cover the area. See "Calculating the Cost of Rinsate Disposal Without Building" (Exhibit B). The cost to mitigate rinsate disposal without a building covering the operational area would exceed 200% of the cost of a building. Therefore, the building over the dry fertilizer operational areas has the primary purpose of pollution control by eliminating, preventing, or reducing air or water pollution.

Exhibit A

Dry Fertilizer Agrichemical Facility Permit

State of Illinois
Department of Agriculture
AGRICHEMICAL CONTAINMENT PERMIT

Permittee:	Facility ID Number:	AC1252160000
Havana Terminal Sunrise FS 1216 S. Water St. Havana, IL 62644	Facility Location:	Havana
Permit #:	Log Number:	22063671
AC92051414	Date Received:	June 24, 2022
Facility Type:	Expiration Date:	September 3, 2027
Commercial: Retail Dealer		
Date Issued:		
September 3, 2022		

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 42' (width) x 70' (length) x 0.58' (depth) with a total design capacity of 930.0 cubic feet (ft.³). The floor shall slope to a series of three sumps, two (2) sumps measuring 2' (diameter) x 2.5' (depth) and one (1) sump measuring 2' (width) x 4' (length) x 2.5' (depth) to facilitate the collection and recovery of all escaped product and/or agrichemical wastewater. All recovered effluent shall be transferred to a transportation or application vehicle for immediate reuse with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. All loading of bulk liquid agrichemical transportation and application equipment shall be performed upon the herein permitted structure. This structure shall be referred to as OC-1.

Operation of an existing welded steel operational containment structure measuring 9' (width) x 14.5' (length) x 0.5' (depth) with a total design capacity of 65.3 cubic feet (ft.³). The floor shall slope to a single sump measuring 1.5' (diameter) x 1' (depth) to facilitate the collection and recovery of all escaped product and/or agrichemical wastewater. All recovered effluent shall be transferred to a transportation or application vehicle for immediate reuse with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. Bulk liquid fertilizer transfer pumps shall be located within the herein permitted structure. This structure shall be referred to as OC-2.

Operation of an existing welded steel operational containment structure measuring 6' (width) x 6' (length) x 0.5' (depth) with a total design capacity of 18.0 cubic feet (ft.³). The floor shall slope to the lowest elevation to facilitate the collection and recovery of all escaped product and/or agrichemical wastewater. All recovered effluent shall be transferred to a transportation or application vehicle for immediate reuse with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. Bulk liquid fertilizer transfer pumps shall be located within the herein permitted structure. This structure shall be referred to as OC-3.

SECONDARY CONTAINMENT STRUCTURE

Operation of two (2) existing welded steel secondary containment structures, each measuring 95' (diameter) x 8' (height), which shall be interconnected by a 3' (diameter) x 70' (length) steel transfer pipe, with a total design capacity of 85,224.0 cubic feet (ft.³). The floor shall slope to one (1) of two (2) sumps, each sump measuring 2' (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 a transportation or application vehicle for immediate reuse with a manually activated sump pump. Segregation shall be performed based upon the applicable target crop and label use. Bulk liquid fertilizer shall be stored within the said structure.



State of Illinois
Department of Agriculture
AGRICHEMICAL CONTAINMENT PERMIT

DRY FERTILIZER STRUCTURES

Operation of an existing bulk dry fertilizer storage building measuring 120' (width) x 208' (length) with an estimated total storage capacity of 25,000 tons. The structure is composed of three (3) storage bins (one (1) bin measuring 74' (width) x 120' (length) with an estimated storage capacity of 8,000 tons, one (1) bin measuring 40' (width) x 120' (length) with an estimated storage capacity of 5,000 tons, one (1) bin measuring 94' (width) x 120' (length) with an estimated storage capacity of 12,000 tons).

All bulk dry fertilizer shall be stored within the herein permitted structure

Operation of an existing reinforced concrete operational containment structure measuring 34' (width) x 152' (length). All end loader transfer of bulk dry fertilizer between storage and the hopper shall be performed upon the herein permitted structure.

Operation of an existing reinforced concrete operational containment structure measuring 14' (width) x 27' (length). The unloading of bulk dry fertilizer transportation and application equipment shall be performed upon the herein permitted structure.

Operation of an existing reinforced concrete operational containment structure measuring 24.58' (width) x 59.5' (length). The blending of bulk dry fertilizer shall be performed upon the herein permitted structure.

Operation of an existing reinforced concrete operational containment structure measuring 13' (width) x 64 67' (length). The bulk dry fertilizer holding bins shall be located upon the herein permitted structure.

Operation of an existing reinforced concrete operational containment structure measuring 6.67' (width) x 10' (length). The bulk dry fertilizer unloading bucket elevator shall be located upon the herein permitted structure.

Operation of an existing reinforced concrete operational containment structure with the greatest dimensions measuring 10' (width) x 55.58' (length) x 13 67' (depth). The transfer of bulk dry fertilizer from the blenders, hoppers and holding bins to the bulk dry fertilizer loading area containment structure shall be performed upon the herein permitted structure.

Operation of an existing reinforced concrete operational containment structure measuring 60' (width) x 100' (length). The loading of bulk dry fertilizer transportation and application equipment and the blending of bulk dry fertilizer shall be performed upon the herein permitted structure.

Operation of an existing reinforced concrete operational containment structure measuring 50' (width) x 106.2' (length). The barge unloading crane and hopper equipment shall be located upon the herein permitted structure.

Operation of an existing reinforced concrete operational containment structure measuring 21' (width) x 100' (length). The direct loading of bulk dry fertilizer transportation and application equipment from barge transports shall be performed upon the herein permitted structure.

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).



State of Illinois
Department of Agriculture
AGRICHEMICAL CONTAINMENT PERMIT

SPECIAL CONDITION 2: The permittee may discharge accumulated precipitation from the herein permitted the herein permitted operational containment structures (OC-2 & OC-3) and bulk liquid fertilizer containment structure pursuant to 8 Illinois Administrative Code 255.110 (a) (2) (A) and (B).

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

SPECIAL CONDITION 4: The permittee shall employ operational containment pursuant to 8 Illinois Administrative Code 255.90 (d) for all unloading of bulk liquid fertilizers.

SPECIAL CONDITION 5: The permittee shall completely empty the barge transport unloading lines at the termination of each product season. Annual hydrostatic pressure testing shall be performed on the said lines prior to use each season. Records of said testing shall be maintained on file at the facility.

SPECIAL CONDITION 6: The permittee shall operate the herein permitted operational containment structures pursuant to 8 Illinois Administrative Code 255.90 (a) (b) (c) and (f), and 8 Illinois Administrative Code 255.110 (c).

SPECIAL CONDITION 7: The permittee shall employ concentric piping for the piping spans from the operational containment structure (OC-3) to the operational containment structure (OC-2) and from (OC-2) to the welded steel bulk liquid fertilizer secondary containment structures.

SPECIAL CONDITION 8: The permittee shall provide means for the safe emergency access to and exit from the herein permitted bulk liquid fertilizer secondary containment structure pursuant to 8 Illinois Administrative Code 255.80 (c) (2) (E).

SPECIAL CONDITION 9: The permittee shall operate the exposed dry fertilizer operations pursuant to 8 Illinois Administrative Code 255.140 (a), (c) and (d).

SPECIAL CONDITION 10: The permittee shall employ a totally enclosed conveyors for all transfer of bulk dry fertilizer that spans uncontained areas between the herein permitted structures.

SPECIAL CONDITION 11: The permittee shall employ a 15' x 22' welded steel deflector pan to prevent spillage between the barge dock platform and the barge transport.

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



Brad A. Beaver, Acting-Chief
Bureau of Environmental Programs

IEPA WPC: Permits
File
125216.pr



Rosario Johnstone, Manager
Technical Services & Pesticide Laboratory



Exhibit B

Calculating the cost of rinsate disposal without building

Havana Dry Building Operational Area

Exhibit B

Sq. Ft. Size of Dry Building Operational Area	13,518
Inches of Ave. Annual Rain (20% in Winter & 80% during growing season)	39
Total yearly gallons collected on liquid building operational and secondary containment =	328,623
yearly accumulate percipitation during summer	80.00%
Gallons of Rinsate Storage Req.	262,898
cost of 250,000 gal. tank	\$250,000
Cost to Field spread 100% yrly rainfall)	assuming 50 gal. / acre x \$10 /acre \$65,725 annual cost/ year
Cost to spread rinsate over 20 years	\$1,314,490
Total 20 yr. cost to mitigate rinsate w/o buiding	\$1,564,490
Cost of Building @\$40/SF	\$540,720
Conclusion	A building covering the operational containment contributes over 200% of its value to pollution control

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 December 20, 2024, the attached **NOTICE**, **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:

Sunrise FS - Havana
Glenda Postin
20735 IL Hwy 125
P.O. Box 108
Virginia, Illinois 62691

Copies also provided electronically as follows:

Illinois Department of Revenue
via email at REV.PropTaxApp@illinois.gov
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

[Electronic Filing]

Clerk
Illinois Pollution Control Board
60 East Van Buren, Suite 630
Chicago, Illinois 60605

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ Gabriel Neibergall
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)