

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

APR 15 2008

Hopkins Farms-Gilson
(Property Identification Number
18-05-200-002)

)
) PCB 08- 15
) (Tax Certification)
)

STATE OF ILLINOIS
Pollution Control Board

NOTICE

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

Frank Hopkins, Jr.
675 Knox Highway
Gilson, Illinois 61436

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: April 10, 2008

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

RECEIVED
CLERK'S OFFICE

APR 15 2008

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Hopkins Farms-Gilson
(Property Identification Number
18-05-200-002)

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)

A P P E A R A N C E

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

DATED: April 10, 2008
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

RECEIVED
CLERK'S OFFICE

APR 15 2008

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Hopkins Farms-Gilson
(Property Identification Number
18-05-200-002)

)
) PCB 08-15
) (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 December 20, 2007, the Illinois EPA received a request from Hopkins Farms (log number TC-29-07, Exhibit A) for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204.

2. The applicant's address is: Hopkins Farms
740 Knox Road 600 N.
Gilson, Illinois 61436

3. The proposed water pollution control facilities in this request are located at NE 1/4 of Section 5, T9N, R2E of the 4th PM in Knox County, at the above street address and consist of the following:

Livestock waste management facilities consisting of two concrete pits (each 51 ft. x 391 ft. x 8 ft. deep) each with ten concrete pump out pits (each 4 ft. x 4 ft. x 8 ft. deep) and the portion of the concrete slotted flooring over the manure pits in two swine buildings.

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 (2006), 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
Assistant Counsel
Division of Legal Counsel

Dated: April 10, 2008
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

RECEIVED
Division of Legal Counsel
MAR 12 2008
Environmental Protection Agency

To: Connie Tonsor, Division of Legal Counsel

From: Alan Keller, Manager, Permit Section

[Handwritten signature]

Date: MAR 12 2008

Re: Hopkins Farms - Gilson
Recommendation of Tax Certification
Log # TC-29-07
Property Identification # 18-05-200-002

The Bureau of Water received a request on December 20, 2007 from Hopkins 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:

Hopkins Farms
740 Knox Road 600 N
Gilson, IL 61436

NE 1/4 of Section 5, T9N, R2E of the 4th PM in Knox County

Livestock waste management facilities consisting of two concrete pits (each 51 ft. x 391 ft. x 8 ft. deep) each with ten concrete pump out pits (each 4 ft. x 4 ft. x 8 ft. deep) and the portion of the concrete slotted flooring over the manure pits in two swine buildings. 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 James Allison at 217/782-3362.

SAK:DLH:JRA:

cc: Tax Cert File

Watershed Unit Tax Certification Review Sheet

Project Name: Hopkins Farms
Reviewer: JRA
Log No.: TC-29-07

Location: Gilson
Date: 11 Feb 08
Type: Agchem
 Livestock

Applicant: Frank Hopkins, Jr
675 Knox Hwy 8
Gilson, IL 61436

Contact: Same
Phone: (309) 875-3286
(309) 368-0382

Facility: 740 Knox Rd. 600N
Gilson, IL 61436

Property ID: 18-05-200-002

Legal Description: NE 1/4 sec 5 T2N R2E of 4th PM

County: Knox

Date Control Devices Installed: Bldg #1 7/11/07 Bldg #2 (8/24/06)

Provided Fair Cash Value: Bldg #1 \$300,000 Bldg #2 (\$300,000)

Signature: Frank Hopkins, Jr

Title: Owner

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

Physical Description of Pollution Control Devices:

Bldg #1 - 51' x 381' x 8' w/10 - 4' x 4' x 8' augers w/ cone slots

Bldg #2 - same

Other: 11 Feb 08 spoke w/ Frank Hopkins for pumpout pit dimensions and verify facility name

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)

POLLUTION CONTROL FACILITY

AIR WATER

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P. O. Box 19278, Springfield, IL 62794-9278

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.

TC-24-01

FOR AGENCY USE					
File No.	Date Received	Certification No.	Date		
Sec. A APPLICANT	Company Name Frank Hopkins Jr. - Building #1				
	Person Authorized to Receive Certification Frank Hopkins, Jr.		Person to Contact for Additional Details		
	Street Address 675 Knox Hwy 8		Street Address		
	Municipality, State & Zip Code Gilson, IL 61436		Municipality, State & Zip Code		
	Telephone Number (309) 875-3286 (309) 368-0382		Telephone Number		
	Location of Facility Quarter Section Township Range NE 1/4 Sect 5 9-N 2-E		Municipality	Township	
	Street Address 740 Knox Rd 600N Gilson		County	Book Number	
	Property Identification Number		Parcel Number 18-05-200-002		
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location Collection of Swine Manure			
		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.					
Sec. C MANUFACTURING PROCESS	Describe Unit Process Building #1				
	Materials Used in Process				
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility See attachment				

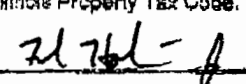
IL 13-3222
AP 3-15, (Rev. 8/00)

Tax Certification for Pollution Control Facilities
Page 1 of 2
8/00

RECEIVED
DEC 20 2007

Watershed Management Section
BUREAU OF WATER

Sec. E POLLUTION CONTROL FACILITY - CONTAMINANTS ACCOUNTING DATA	(1) Nature of Contaminants or Pollutants		
			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	<i>Swine Manure</i>		<i>Land Applied for Crop Fertilizer</i>
	(2) Point(s) of Waste Water Discharge		
			Plans and Specifications Attached Yes <input type="checkbox"/> No <input type="checkbox"/>
	(3)	Are contaminants (or residues) collected by the control facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	(4)	Date installation completed <i>7/11/2007</i> status of installation on date of application <i>Complete</i>	
	(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ <i>300,000</i>
		b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ <i>150,000</i>
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ <i>50,000</i>	
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ <i>12,000</i>	
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% <i>60</i>	

Sec. F 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. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.	
	 Signature	<i>Owner</i> Title

Sec. G INSTRUCTIONS	INSTRUCTIONS FOR COMPILING AND FILING APPLICATION		
	General: Separate applications must be completed for each control facility claimed. Do not mix types (water and air). Where both air and water operations are related, file two applications. If attachments are needed, record them consecutively on an index sheet.		
	Sec. A	Information refers to applicant as listed in the tax records and the person to be contacted for further details or for inspection of facilities. Define facility location by street address or legal description. A plat map location is required for facilities located outside of municipal boundaries. The property identification number is required.	
	Sec. B	Self-explanatory. Submit copies of all permits issued by local pollution control agencies. (e.g. MSD Construction Permit)	
	Sec. C	Refers to manufacturing processes or materials on which pollution control facility is used.	
	Sec. D	Narrative description of the pollution control facility, indicating that its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility. State permit number, date, and agency issuing permit. A narrative description and a process flow diagram describing the pollution control facility. Include a listing of each major piece of equipment included in the claimed fair cash value for real property. Include an average analysis of the influent and effluent of the control facility stating the collection efficiency.	
	Sec. E	List air contaminants, or water pollution substances released as effluents to the manufacturing processes. List also the final disposal of any contaminants removed from the manufacturing processes. Item (1) - Refers to pollutants and contaminants removed from the process by the pollution control facility. Item (2) - Refers to water pollution but can apply to water-carried wastes from air pollution control facilities. Submit drawings, which clearly show (a) Point(s) of discharge to receiving stream, and (b) Sewers and process piping to and from the control facility. Item (3) - If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value in dollars reclaimed by sale or reuse of the collected substances. State the cost of reclamation and related expense. Item (4) - State the date which the pollution control facility was first placed in service and operated. If not, explain. Item (5) - This information is essential to the certification and assessment actions. This accounting data must be completed to activate project review prior to certification by this Agency.	
	Sec. F	Self-explanatory. Signature must be a corporate authorized signature.	
	Submit to:	Attention:	Attention:
	Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276	AJ Keller Permit Section Division of Water Pollution Control	Donald E. Sutton Permit Section Division of Air Pollution Control

The facility is a 51' X 391' full concrete slatted with a poured concrete w/rebar 8' deep swine manure pit that has 10 manure pump outs. The building covers 100% of the pit. The building and the pit are the same size.

The manure from the hogs drops through the slats into the pit and is stored until fall. The pit is pumped one time a year. Manure is removed through the pump outs and applied to nearby farm fields.

The pit keeps manure from entering Brush creek which is 720' from the building. Also the pit keeps manure from entering ground water and contaminating local wells.

MARY LOU BATES
(CLOSEST WELL)
1,600'

DELONG
6,800'

ORANGE CHAPEL CHURCH
17,900'

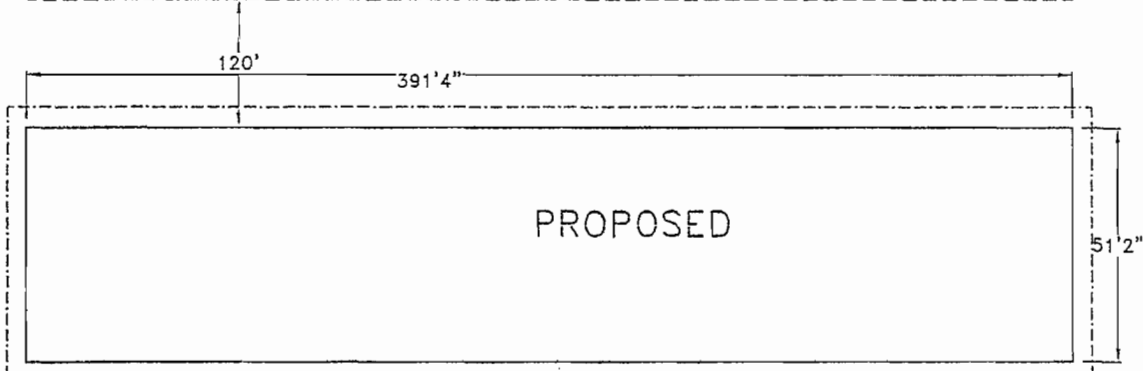


NOTES:

- *CLOSEST TOWN IS DELONG
- *CLOSEST NEIGHBOR IS MARY LOU BATES
- *CLOSEST NFB IS NAPA AUTO PARTS
- *CLOSEST CPOA IS ORANGE CHAPEL CHURCH
- *CLOSEST STREAM IS BRUSH CREEK
- *NO ABANDONED WELLS WITHIN 1,000'
- *NO SUBSURFACE TILES LINES WITHIN 100'

— SURFACE WATER FLOW

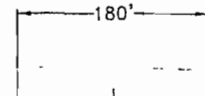
NAPA AUTO PARTS
27,900'



○ SAMPLING PORT
BRUSH CREEK
720'

DRAIN TO DAYLIGHT
(FIELD VERIFY LOCATION)

PERIMETER DRAIN TILE



Frank & West

Environmental Engineers, Inc.

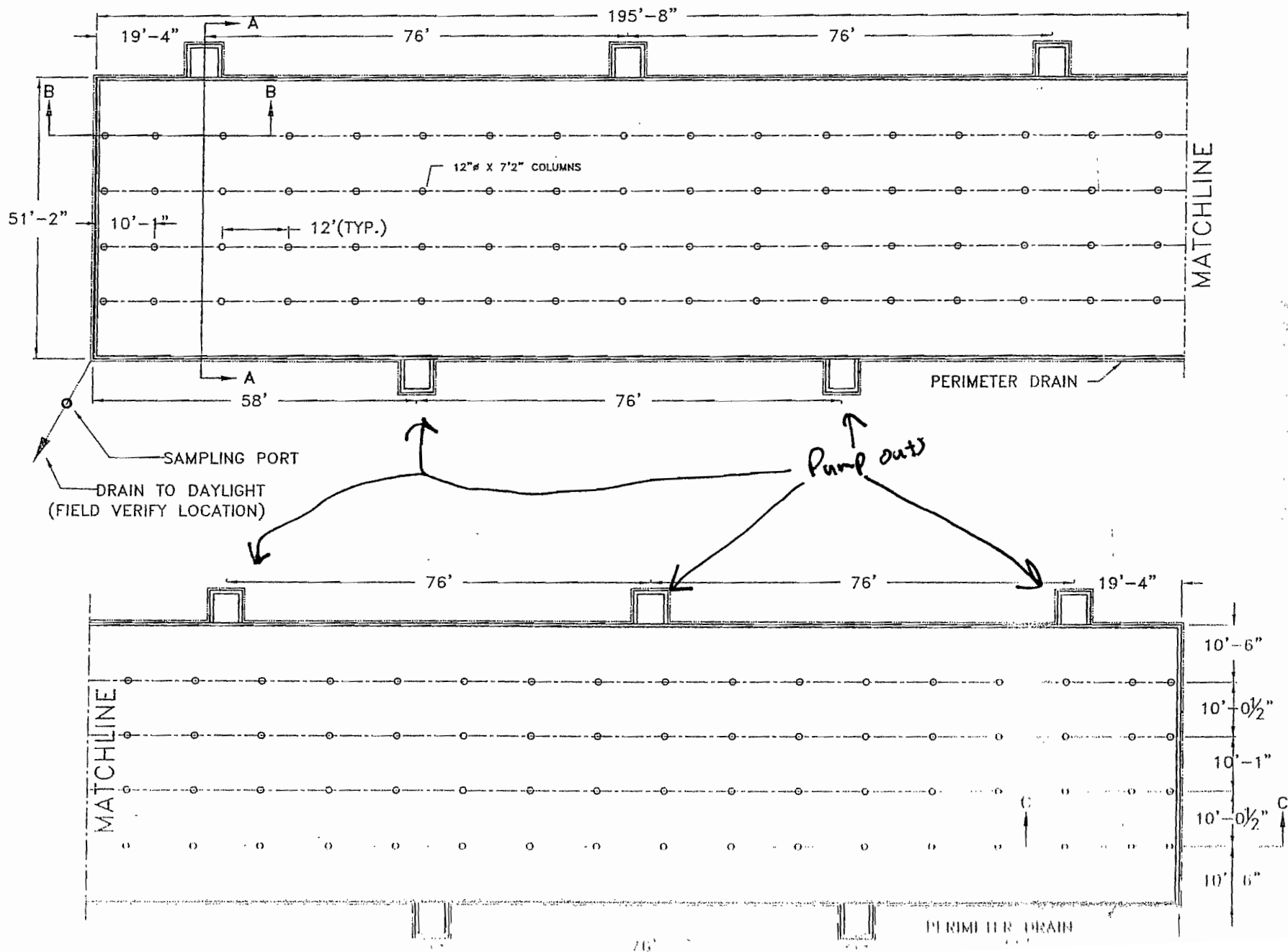
FRANK HOPKINS
GILSON, ILLINOIS

PLOT PLAN

7226 N. State Route 29
Springfield, IL 62707

Phone: 217/487-7686
Fax: 217/487-7687

DRAWN BY: CEO SCALE: NTS DATE: 12/04/06 DWG. 06-23901



Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

LIVESTOCK WASTE PROGRAM
FINAL NOTICE OF CONSTRUCTION PLAN COMPLETION
Non-Lagoon Livestock Waste Handling Facility

Registrant:

Frank Hopkins
675 Knox Hwy 8
Gilson, IL 61436

Facility Location:

DeLong, IL
Facility ID#:
LF0950140000

Date Issued: August 24, 2006

The Department has received a certification notice from the owner or operator relative to the completion of construction of a non-lagoon livestock waste handling structure at the aforementioned facility. The certification indicates that the waste handling structure has been constructed or modified in accordance with the requirements of the Livestock Management Facilities Act (Act) (510 ILCS 77/1 et seq.) and rules and that the information provided during the registration process is correct.

On August 24, 2006, Department representatives conducted a final inspection at the facility pursuant to the Livestock Management Facilities Act (510 ILCS 77/13 (g)). No deviations from the construction plan were noted during the inspection. Inspections of the facility were also conducted prior to and during the construction phase of the project.

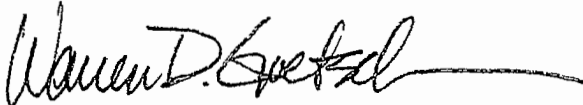
Pursuant to the Section 13 of the Livestock Management Facilities Act, the construction plan and certification requirements of the Act have been met. The owner or operator of the livestock waste handling facility may proceed to place the structure into service.

Pursuant to 35 Illinois Administrative Code 506.304 (c), this structure was required to install a perimeter foundation drain that included a sampling port to allow for quarterly sampling pursuant to 8 Illinois Administrative Code 900.511. The samples must be analyzed for the following items: nitrate-nitrogen, phosphate-phosphorus, chloride, sulfate and ammonia-nitrogen. **The quarterly sampling period assigned to your facility is as follows: January, April, July and October.** Please be advised that sample results must be submitted to the Department within 30 days after sample collection and must contain a discussion relative to the significance of the results.


If you have any questions or if the Department may be of service to you, please feel free to contact us at 217/785-2427.

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE



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



Brad A. Beaver
Manager, Livestock Waste Program

cc: file
Tim Kluge, IEPA

LF095014 cpfinal

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 P. O. Box 19278, Springfield, IL 62794-9278

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	
APPLICANT	Sec. A	Company Name Frank Hopkins, Jr. Building #2				
		Person Authorized to Receive Certification Frank Hopkins, Jr.		Person to Contact for Additional Details		
		Street Address 675 Knox Hwy 8		Street Address		
		Municipality, State & Zip Code Gilson, IL 61436		Municipality, State & Zip Code		
		Telephone Number (309) 875-3286 (309) 368-0382		Telephone Number		
		Location of Facility Quarter Section Township Range NE 1/4 Sect 5 9-N 2-E		Municipality	Township Chestnut	
		Street Address 740 Knox Rd 600N Gilson		County Knox	Book Number	
		Property Identification Number		Parcel Number 18-05-200-002		
	MANUFACTURING OPERATIONS	Sec. B	Nature of Operations Conducted at the Above Location Collection of Swine Manure			
		Water Pollution Control Construction Permit No.		Date Issued		
		NPDES PERMIT No.		Expiration Date		
		Air Pollution C				
MANUFACTURING PROCESS	Sec. C	Describe Unit Building # 2				
		Materials Used				
POLLUTION CONTROL FACILITY DESCRIPTION	Sec. D	Describe Pollution See				

RECEIVED
 DEC 20 2007

Watershed Management Section
 BUREAU OF WATER

POLLUTION CONTROL FACILITY - CONTAMINANTS ACCOUNTING DATA	(1) Nature of Contaminants or Pollutants		
	Contaminant or Pollutant <u>Swine Manure</u>		Material Retained, Captured or Recovered DESCRIPTION <u>Land Applied for Crap Fertilizer</u>
	(2) Point(s) of Waste Water Discharge		
	Plans and Specifications Attached Yes <input type="checkbox"/> No <input type="checkbox"/>		
	(3) Are contaminants (or residues) collected by the control facility? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	(4) Date installation completed <u>8/24/2006</u> status of installation on date of application <u>Complete</u>		
	(5) a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:		\$ <u>300,000</u>
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:		\$ <u>150,000</u>
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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. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.	
	<u>[Signature]</u> Signature	<u>OWNER</u> Title

INSTRUCTIONS	INSTRUCTIONS FOR COMPILING AND FILING APPLICATION		
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	Sec. F	Self-explanatory. Signature must be a corporate authorized signature.	
	Submit to: Illinois EPA P.O. Box 18276 Springfield, IL 62794-0276	Attention: Al Keller Permit Section Division of Water Pollution Control	Attention: Donald E. Sutton Permit Section Division of Air Pollution Control

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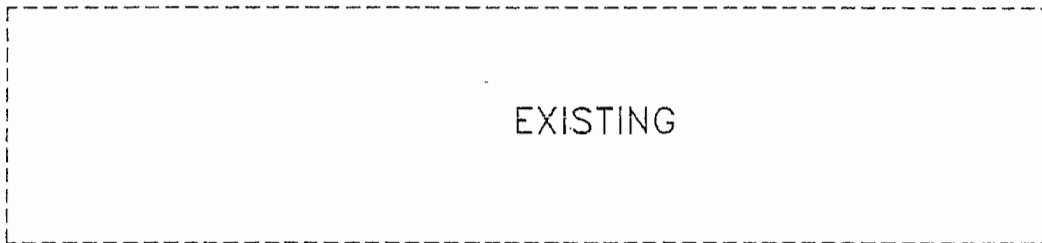


NOTES:

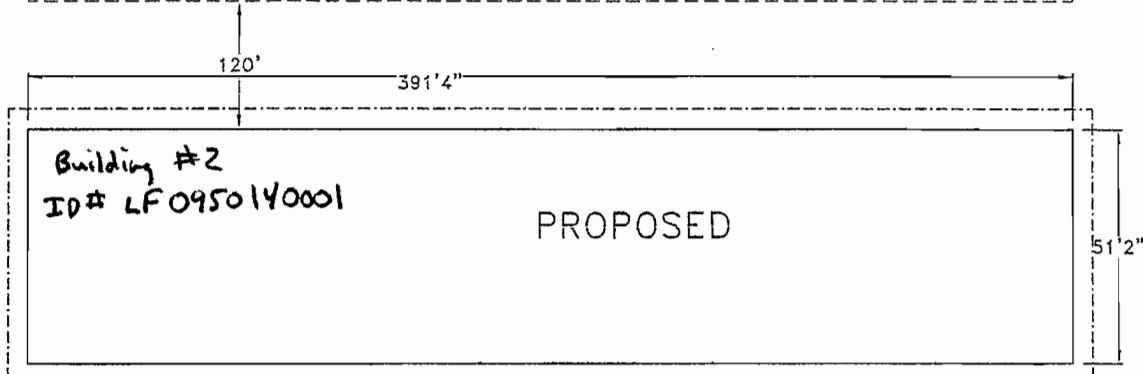
- *CLOSEST TOWN IS DELONG
- *CLOSEST NEIGHBOR IS MARY LOU BATES
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- *CLOSEST CPOA IS ORANGE CHAPEL CHURCH
- *CLOSEST STREAM IS BRUSH CREEK
- *NO ABANDONED WELLS WITHIN 1,000'
- *NO SUBSURFACE TILES LINES WITHIN 100'

 SURFACE WATER FLOW

NAPA AUTO PARTS
27,900'



EXISTING



Building #2
ID# LF0950140001

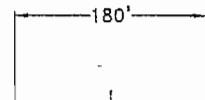
PROPOSED

51'2"

SAMPLING PORT
BRUSH CREEK
720'

DRAIN TO DAYLIGHT
(FIELD VERIFY LOCATION)

PERIMETER DRAIN TILE



180'



Frank & West

Environmental Engineers, Inc.

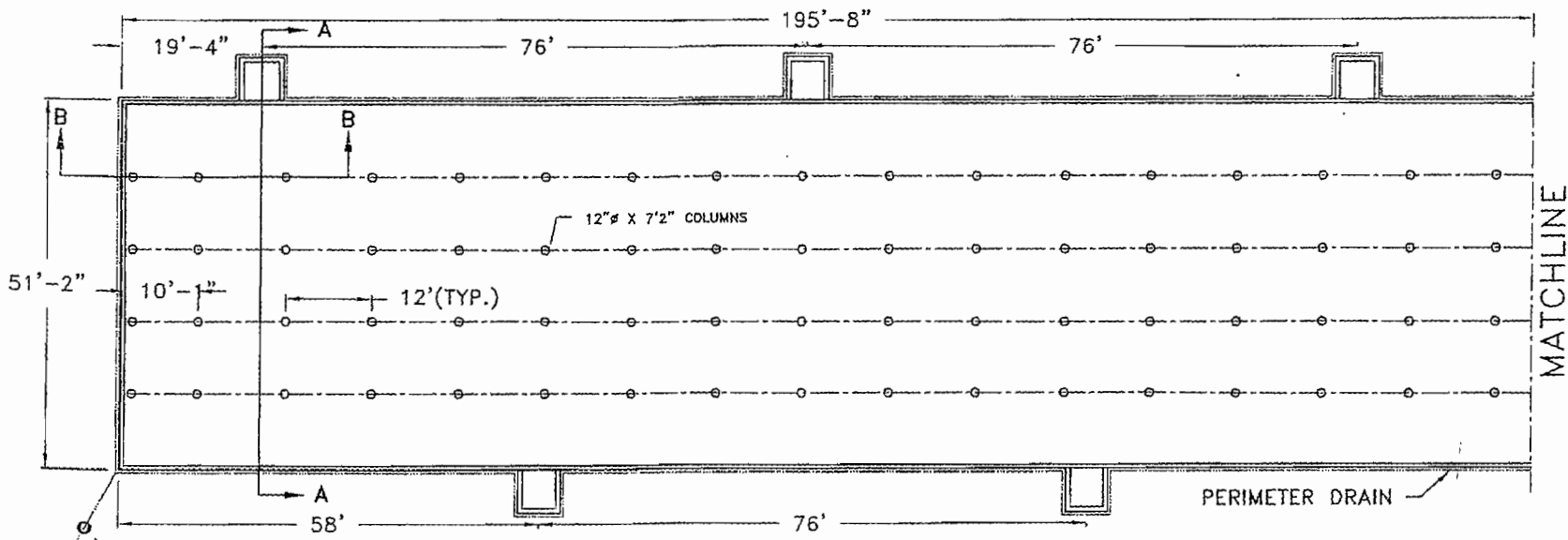
FRANK HOPKINS
GILSON, ILLINOIS

PLOT PLAN

7226 N. State Route 29
Springfield, IL 62707

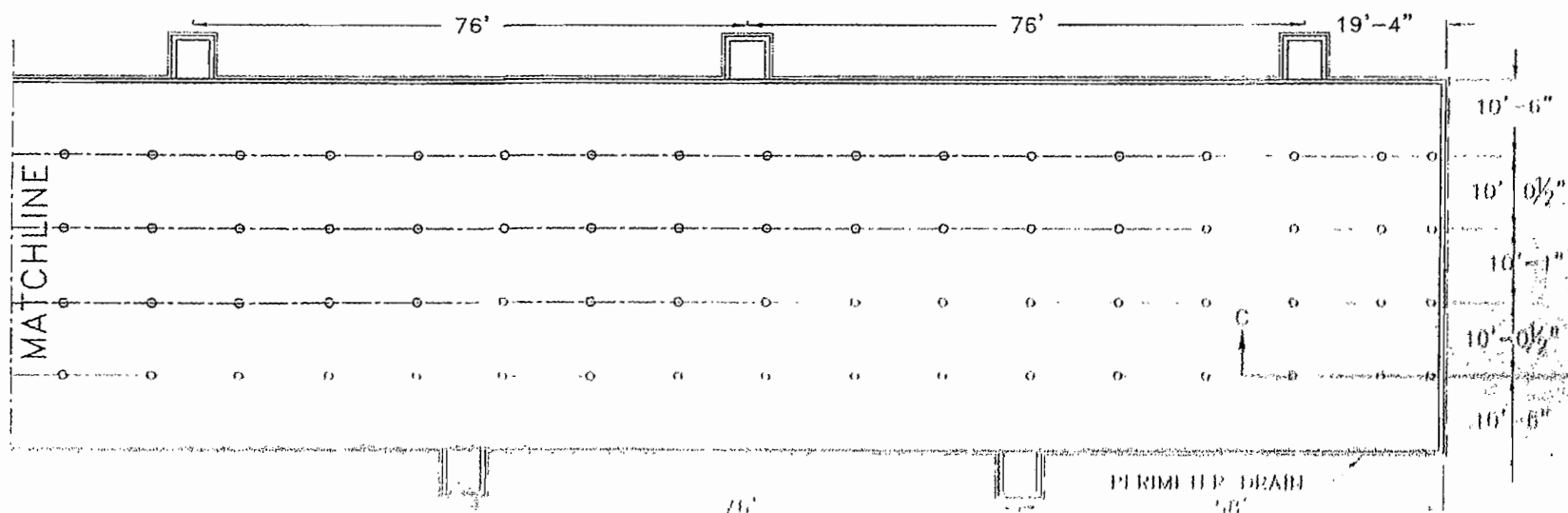
Phone: 217/487-7686
Fax: 217/487-7887

DRAWN BY: CEO SCALE: NTS DATE: 12/04/06 DWG. 06-23901



SAMPLING PORT

DRAIN TO DAYLIGHT
(FIELD VERIFY LOCATION)



Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

***LIVESTOCK WASTE PROGRAM
FINAL NOTICE OF CONSTRUCTION PLAN COMPLETION
Non-Lagoon Livestock Waste Handling Facility***

Registrant:

Frank Hopkins
675 Knox Highway 8
Gilson, IL 61436

Facility Location:

DeLong
Facility ID#:
LF0950140001

Date Issued: July 11, 2007

The Department has received a certification notice from the owner or operator relative to the completion of construction of a non-lagoon livestock waste handling structure at the aforementioned facility. The certification indicates that the waste handling structure has been constructed or modified in accordance with the requirements of the Livestock Management Facilities Act (Act) (510 ILCS 77/1 et seq.) and rules and that the information provided during the registration process is correct.

On July 9th, 2007, Department representatives conducted a final inspection at the facility pursuant to the Livestock Management Facilities Act (510 ILCS 77/13 (g)). No deviations from the construction plan were noted during the inspection. Inspections of the facility were also conducted prior to and during the construction phase of the project.

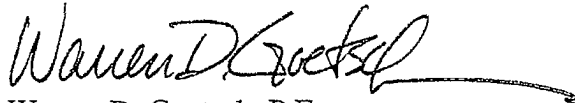
Pursuant to the Section 13 of the Livestock Management Facilities Act, the construction plan and certification requirements of the Act have been met. The owner or operator of the livestock waste handling facility may proceed to place the structure into service.

Pursuant to 35 Illinois Administrative Code 506.304 (c), this structure was required to install a perimeter foundation drain that included a sampling port to allow for quarterly sampling pursuant to 8 Illinois Administrative Code 900.511. The samples must be analyzed for the following items: nitrate-nitrogen, phosphate-phosphorus, chloride, sulfate and ammonia-nitrogen. **The quarterly sampling period assigned to your facility is as follows: January, April, July and October.** Please be advised that sample results must be submitted to the Department within 30 days after sample collection and must contain a discussion relative to the significance of the results.

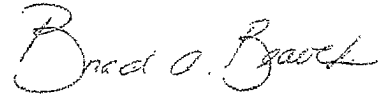
If you have any questions or if the Department may be of service to you, please feel free to contact us at 217/785-2427.

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE



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



Brad A. Beaver
Manager, Livestock Waste Program

cc: file
Tim Kluge, IEPA

LF0950140001cpfinal

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:

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

Frank Hopkins, Jr.
675 Knox Highway
Gilson, Illinois 61436

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

and mailing it from Springfield, Illinois, on April 10, 2008, with sufficient postage affixed for first class mail.

Bilinda Bochner

SUBSCRIBED AND SWORN TO BEFORE ME

This 10th day of April, 2008

Cynthia L. Wolfe
Notary Public



THIS FILING IS SUBMITTED ON RECYCLED PAPER