BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Panther Creek Ranch, LLC-Congerville.	)
(Property Indentification Number	) **PCB 11-**
18-23-200 005)	) **(Tax Certification)**
	)

NOTICE

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

Terry Feldman
576 County Road.
Congerville, Illinois 61729

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: May 5, 2011

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

Panther Creek Ranch, LLC-Congerville. (Property Indentification Number 18-23-200 005)	) PCB 11-) (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: Vera Herst

Vera Herst
Assistant Counsel
Division of Legal Counsel

DATED: May 5, 2011
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

Panther Creek Ranch, LLC-Congerville.	)	
(Property Indentification Number	)	**PCB 11-**
18-23-200 005)	)	**(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 24, 2009, the Illinois EPA received a request from Panther Creek Ranch, LLC (log number TC-23-09, 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: Panther Creek Ranch, LLC
1895 Route 150
Congerville, Illinois 61729

3. The proposed water pollution control facilities in this request are located at Section 2, T25N, R1W of the 3rd PM in Woodford County, at the above street address and consist of the following:

> Livestock waste management facilities consisting of one concrete manure staging area (approximately 51 ft x 90 ft) under roof (approximately 51ft x 58 ft); one concrete solids settling basin (approximately 51 ft x 125 ft) with weir; one composting area (with clay-lined area approximately 420 ft x 80 ft composed of a 12 ft wide x 1 ft high berm); a concrete lift station (consisting of a 6 ft diameter x 7 ft deep with two 5 horsepower submersible sewage pumps); three concrete junction boxes (each 2 ft diameter x 2 ft deep); three manifolds and three vegetative treatment areas (approximately 400 ft x 80 ft with a 12 ft wide x 1 ft high berm; gutters, downspouts, and storm water pipes conveying roof water away from the 58 ft x 471 ft feedlot; three valves for three emergency containment/storm water detention basins; and approximately 410 ft of 6-inch PVC sewer pipe.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application, and are further described in Exhibit A.

4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2008), defines "pollution control facilities" as:

> "any system, method, construction, device or appliance appurtenant thereto or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: (a) eliminating, preventing, or reducing air or water pollution ...or (b) treating, pretreating, modifying or disposing of any potential solid, liquid or gaseous pollutant which if released without treatment, pretreatment modification or disposal might be harmful, detrimental or offensive to human, plant or animal life, or to property."

5. Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5.

6. Based on the information in the application and the purpose of the facilities, it is the Illinois EPA's engineering judgment that the described facilities may be considered "pollution control facilities," pursuant to 35 Ill. Adm. Code 125.200(a), with the primary purpose of eliminating, preventing, or reducing water pollution, or as otherwise provided in 35 Ill. Adm. Code 125.200, and are eligible for tax certification from the Board.

WHEREFORE, the Illinois EPA recommends that the Board issue the

requested tax certification.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: Vera Herst

Vera Herst
Assistant Counsel
Division of Legal Counsel

Dated: May 5, 2011
Illinois Environmental Protection Agency
1021 North Grand Ave. East.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

Memorandum

To: Connie Tonsor, Division of Legal Counsel

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

Date: April 14, 2011

Re: Panther Creek Ranch, LLC - Congerville
Recommendation of Tax Certification
Log # TC-23-09
Property Identification # 18-23-200-005

The Bureau of Water received a request on December 24, 2009 from Panther Creek Ranch, LLC 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:

Panther Creek Ranch, LLC
Bob Parsons
1895 Route 150
Congerville, IL 61729

Section 2, T25N, R1W of the 3rd P.M. in Woodford County

Livestock waste management facilities consisting of one concrete manure staging area (approximately 51 ft. x 90 ft.) under roof (approximately 51 ft. x 58 ft.), one concrete solids settling basin (approximately 51 ft. x 125 ft.) with weir, one composting area (with a clay lined area approximately 420 ft. x 80 ft. composed of a 12 ft. wide x1 ft. high berm), a concrete lift station (consisting of a 6 ft. diameter x 7 ft. deep with two 5 hp submersible sewage pumps), three concrete junction boxes(each a 2 ft. diameter x 2 ft. deep),three manifolds, and three vegetative treatment areas(approximately 400 ft. x 80 ft. with a 12 ft. wide x 1 ft. high berm). The weir and the composting area are connected to the lift station by approximately 410 ft. of 6" PVC sewer pipe. The gutters and downspouts and stormwater pipes conveying roof water away from the 58 ft. x 471 ft. feedlot. The gutters on the horse barn and arena. The three valves for the three emergency containment/Stormwater detention basins.

These livestock waste 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.

Additional water pollution control facilities in this request include:

> The buildings for the horse barn (approximately 225 ft. x 225 ft.) and the walker arena (approximately 75 ft. x 75 ft.). The roof over the feedlot (approximately 58 ft. x 471 ft.).
>
> These facilities are further described in the enclosed applications and supporting documents.

Based on the information included in this submittal, the Bureau of Water has determined that the facilities are not "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. This determination is based on the following factor(s):

The primary purpose of the buildings for the horse barn, walker arena, and feedlot are not for pollution control. The building for the horse barn consisting of an arena, feed storage, and horse stalls and tack area along with the walker area are common practices in Illinois for many years. This provides a year round area to house, store and exercise horses and their related equipment and feed and allows them to not be exposed to the weather. The use of compacted clay in these areas is a common practice to provide good footing for the horses. (Horse Facilities Handbook 2005)

The Bureau of Water therefore recommends that the Board deny the requested tax certification for these facilities.

If you have any questions regarding the above, please contact Keith Runge at 217/782-3362.

SAK: KAR: TC-23-09

cc: Tax Cert File

Attachment

References

Wheeler, Eileen; Koenig, Bill; Harmon, Jay; Murphy, Pat; Freeman, David 2005. Horse Facilities Handbook. Midwest Planning Services.

Watershed Unit Tax Certification Review Sheet

Project Name: Panther Creek Ranch, LLC
Reviewer: KAR
Log No.: TC-23-09

Location: Congerville
Date: 2-18-10
Type: ☐ Agchem ☒ Livestock

Applicant: Panther Creek Ranch, LLC
576 County Rd
Congerville, IL 61729

Contact: Terry Feldman
Phone: 309-693-7615

Facility: Panther Creek Ranch, LLC
1895 RT. 150
Congerville, IL 61729

Property ID: 18-23-200-005

Legal Description: Section 2, T25N, R1W

County: Woodford

Date Control Devices Installed: 12-15-09

Provided Fair Cash Value: $1,050,000.00

Signature: Robert Parsons

Title: Co-owner

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:

One concrete manure staging area 51'x 90ft under roof
one concrete solids settling basin 51'x 125' w/i weir
one clay lined composting area 420'x80' w/i 12'w x 1'h berm
one concrete lift station 6'dia x 7' deep w/i 2-5hp submersible sewage pumps
Three concrete junction boxes 2'dia x 2' deep.
Three manifolds
Three vegitative treatment areas 400'x80' w/i 12'w x 1'h berm

The weir and composting area are connected to the lift station with approximately 1 ft. of 6" pvc sewer pipe.
gutter & downspout on 58'x47'
gutters on horse barn & arena

Other:
Talked with Terry Feldman 2-23-10
walking area for exercising. The manure and temporary storage of manure are
pending concrete manure staging area (51'x 58')

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P. O. Box 19276, Springfield, IL 62794-9276

This Agency is authorized to request this information under Illinois Revised Statues, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

FOR AGENCY USE

File No. | Date Received | Certification No. | Date

APPLICANT

Sec. A

Company Name: Panther Creek Ranch, LLC

Person Authorized to Receive Certification	Person to Contact for Additional Details
Bob Parsons	Terry Feldmann
Street Address: 576 County Road	Street Address: 7615 N Harker Drive
Municipality, State & Zip Code: Congerville, IL 61729	Municipality, State & Zip Code: Peoria, IL 61615
Telephone Number: (309) 696-2894	Telephone Number: (309) 693-7615

Location of Facility: Quarter Section	Township	Range	Municipality	Township
Sec 23	T25N	1W	Carlock	T25N

Street Address	County	Book Number
1895 Route 150, Congerville, IL 61729	Woodford	

Property Identification Number	Parcel Number
18-23-200-005	18-23-200-005

MANUFACTURING OPERATIONS

Sec. B

Nature of Operations Conducted at the Above Location: Horse and Beef Cattle

Water Pollution Control Construction Permit No.: N/A	Date Issued	
NPDES PERMIT No.: N/A	Date Issued	Expiration Date
Air Pollution Control Construction Permit No.: N/A	Date Issued	
Air Pollution Control Operating Permit No.: N/A	Date Issued	

MANUFACTURING PROCESS

Sec. C

Describe Unit Process: N/A

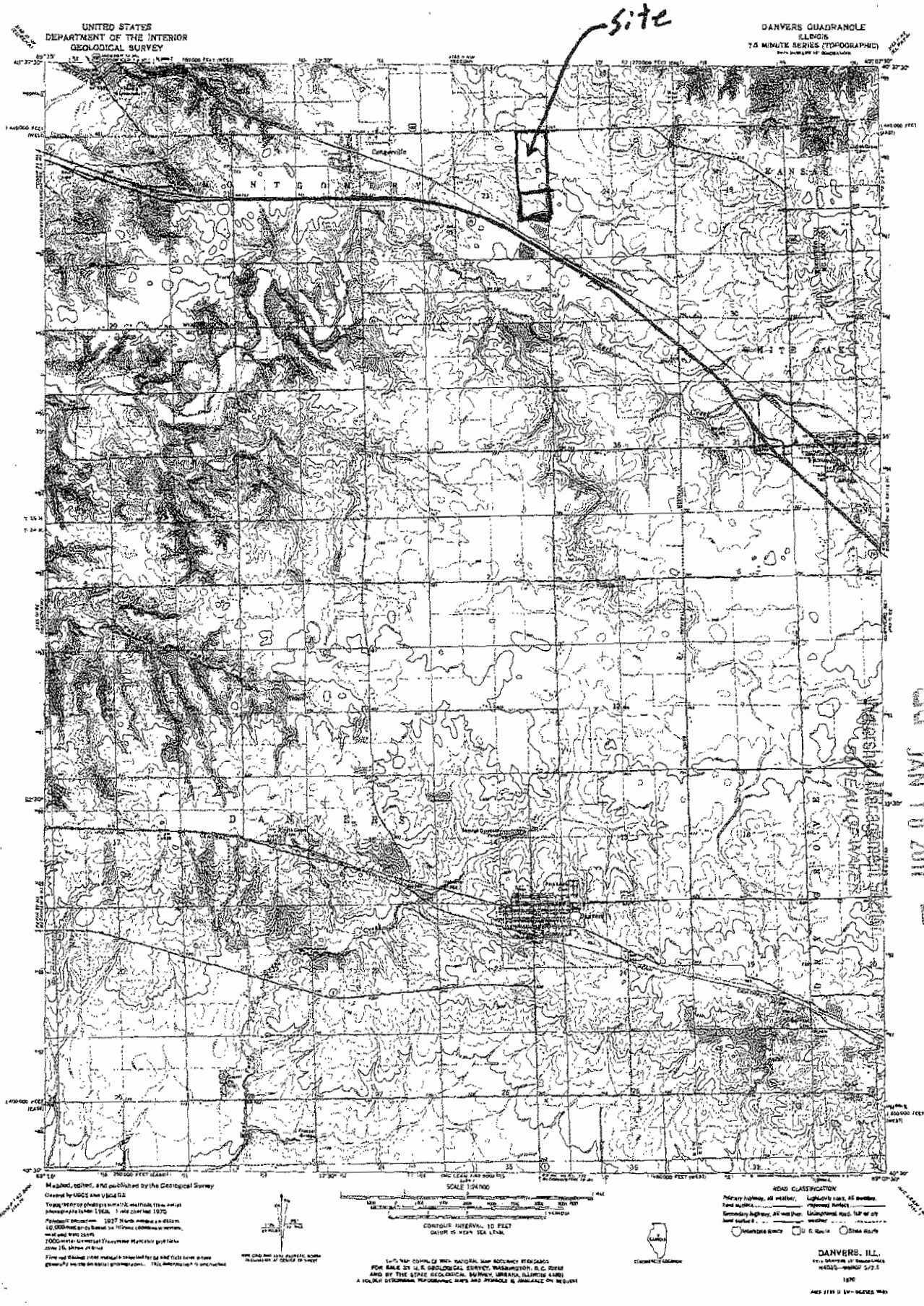
Materials Used in Process: N/A

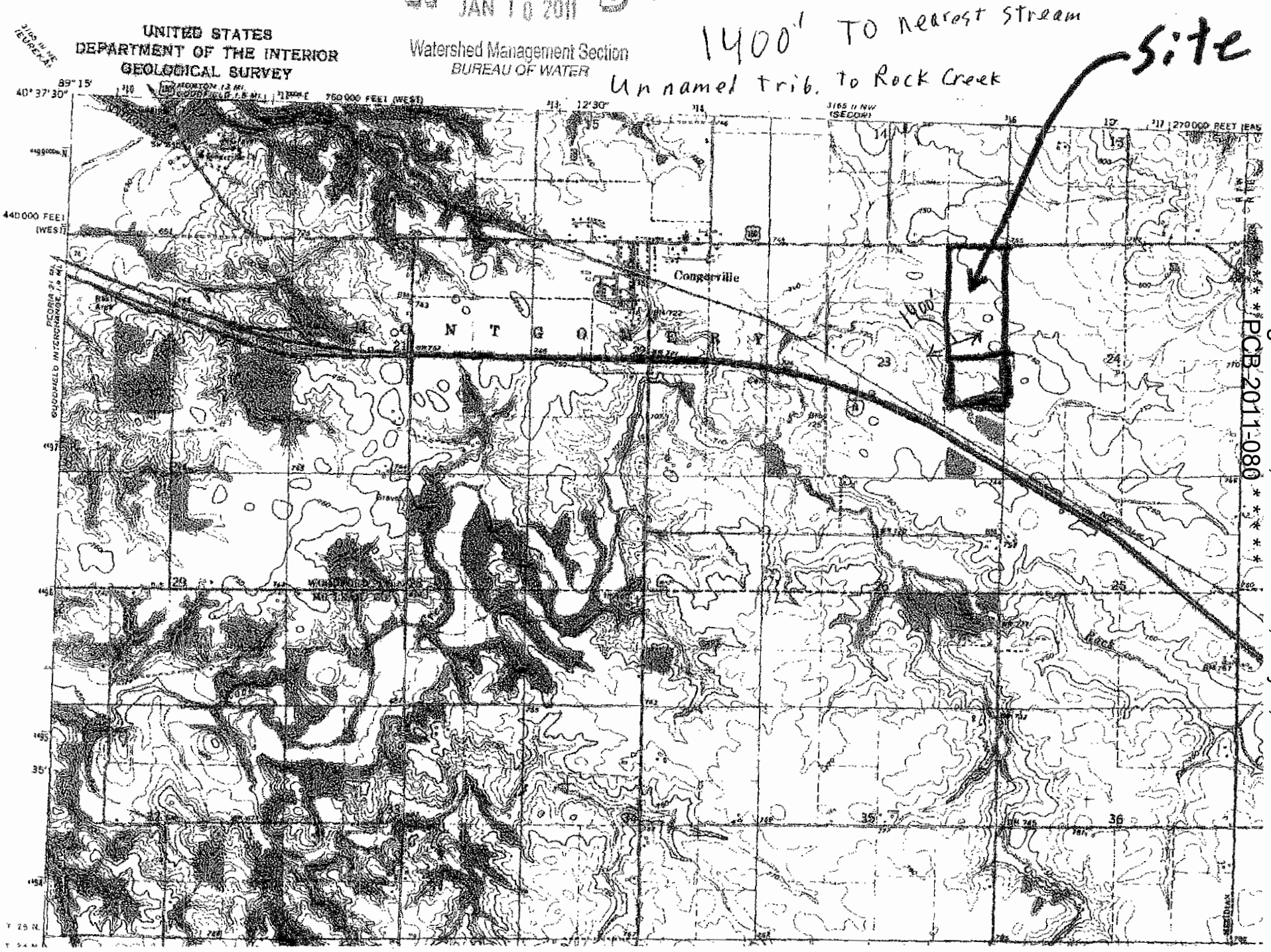
RECEIVED
JAN 10 2011
Watershed Management Section
BUREAU OF WATER

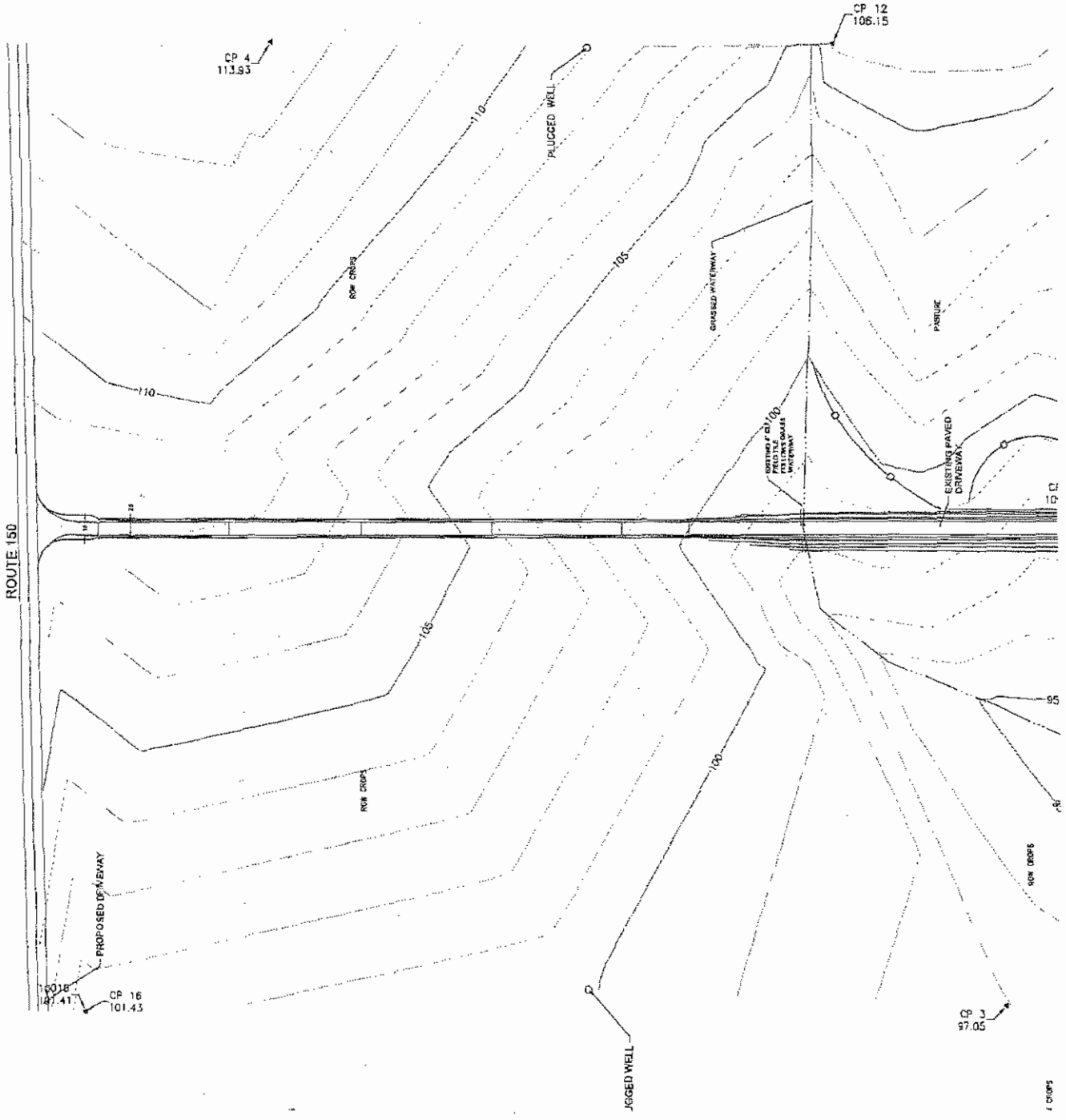
POLLUTION CONTROL FACILITY DESCRIPTION

Sec. D

Describe Pollution Abatement Control Facility: See Attached Document describing the facility







SUBSURFACE DRAINAGE LINE NOTE
ALL EXISTING SUBSURFACE DRAINAGE LINE LOCATIONS ARE APPROXIMATE
IF SUBSURFACE DRAIN TILES ARE ENCOUTERED DURING EXCAVATION, THEY SHALL BE REMOVED TO A MINIMUM DISTANCE OF 50' AWAY FROM FACILITIES.

CP #3 = REBAR EAST OF FENCE POST ELEVATION = 97.05
CP #10 = REBAR (SE PROPERTY CORNER PIN) ELEVATION = 103.60 (FOUND APRIL 2009
CP #11 = REBAR (SW PROPERTY CORNER PIN) ELEVATION = 93.07 (FOUND APRIL 2009 E
CP #12 = REBAR ALONG EAST PROPERTY LINE ELEVATION = 106.15
CP #13 = REBAR NEAR 20' OFFSET OF NORTHEAST CORNER OF PROPOSED FEEDLOT; ELEV
CP #16 = REBAR ALONG THE EAST PROPERTY LINE ELEVATION = 101.43 (FOUND APRIL 2
CP #30 = REBAR APPROX. EASTSIDE OF DRIVEWAY NORTH OF SOUTH CULVERT; ELEVATION
CP #31 = REBAR APPROX. EASTSIDE OF DRIVEWAY SOUTH OF MIDDLE CULVERT; ELEVATION

S:\238\2004 p...umbers\23804039 (Parsons - horse and cattle farm)\Drawings\Civil\Civil\Parsons 5/5/2009 5:58 PM

75 ft x 75 ft walk-in area (composted clay + roof ?
D.O applicant wants if clay floor required for LOC EA

Are they asking for feedlot floor. - livestock instruction sheet

check on Amended Staging area if manure only or
animals can be in area - floor + roof

barn + crew floor + roof

roof gutters + downspouts

check riser pipe

three detention basins vs. road
value on basins - pollution control

Runge, Keith

From: Terry L. Feldmann [tlfeldmann@maurerstutzinc.com]
Sent: Friday, January 07, 2011 5:04 PM
To: Runge, Keith; keith.runge@il.gov
Subject: Panther Creek Ranch
Attachments: 367 roof practice.pdf; panther creek ranch_20110107164036.pdf

Keith,

I have attached some pdfs per our phone call. The facility is located in section 23 (see revised page of application attached). I assumed that you wanted a USGS topography map rather than our topography survey (you should already have our topo survey). The distance to the nearest stream is about 1400 feet to an unnamed tributary of Rock Creek as I noted to the attached map.

Everything listed and described in section D, the attached document is a Pollution Abatement or control facility in our opinion including the four main areas described. We did include the cost of the roofs to exclude rainwater at about $598,000. As outlined in the attached USDA NRCS national standard for roof practices code 367, one of the main purposes is the diversion of clean water away from animal management areas. If you can't give credit roof because you have not in the past, then I understand keeping the rules the same for everyone. This would reduce the percentage of the pollution control facility to about 32% of the overall facility costs.

Call or email if you have further questions.

Terry L. Feldmann, PE
Agricultural Group Manager/Vice President/Secretary

Maurer-Stutz, Inc.
7615 North Harker Drive
Peoria, IL 61615
309-693-7615 office
309-693-7616 fax
309-251-6962 mobile
tlfeldmann@maurerstutzinc.com email

www.maurerstutzinc.com

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION PRACTICE STANDARD

ROOFS AND COVERS

(No.)

CODE 367

DEFINITION

A rigid, semi-rigid, or flexible manufactured membrane, composite material,or roof structure placed over a waste management facility.

PURPOSE

To provide a roof or cover for:

- water quality improvement
- diversion of clean water from animal management areas (i.e. barnyard, feedlot or exercise area) and/or waste storage facilities
- capture of biogas for energy production
- reducing net effect of greenhouse gas emissions
- air quality improvement and odor reduction

CONDITIONS WHERE PRACTICE APPLIES

This practice applies where:

- Exclusion of precipitation from an outdoor animal management area, waste storage facility or waste treatment facility will improve management of an existing or planned animal waste handling system or eliminate a pollution concern.
- Capture and controlled release of emissions from an existing or planned animal waste management, storage, or treatment system will improve air quality and/or reduce the net effect of greenhouse gas emissions.
- Bio-treatment of emissions from an existing or planned waste storage or treatment facility will improve air quality and/or reduce the net effect of greenhouse gas emissions.
- Biogas production and capture for energy are components of an existing or planned waste management system.

CRITERIA

General Criteria Applicable to All Purposes

Laws and Regulations. Roof and cover systems for animal waste facilities must be planned, designed, and constructed to meet all federal, state,loc al, and tribal laws and regulations.

Service Life. The roof or cover along with any necessary appurtenances shall be designed to provide a service life of not less than 10 years.

Materials. The type, thickness and material properties of the roof or cover and any supporting members shall account for all loads and stresses due to operational, environmental, and climatic conditions.

The roof or cover manufacturer and/or installer shall provide maintenance instructions and certify that the roof or cover is properly installed.

Flexible membrane materials, used for fabrication of inflated and floating covers, shall be certified by the manufacturer as suitable for the intended application.

The minimum material thickness for flexible or composite geomembrane covers shall be:

- 40 mils for non-reinforced material
- 36 mils for reinforced materials

Any materials exposed to biogas shall be resistant to corrosion. Equipment shall be suitable for use within a potentially explosive environment.

Loads. For facility components that serve as part of the foundation or support for a roof or cover, all loads shall be considered in the structural design.

Design. Refer to structural design criteria outlined in NRCS conservation practice standard Waste Storage Facility (313) for the design of foundations associated with animal waste storage facilities. Design roofs and covers according to the criteria in the current editions of the following material references as appropriate:

- Steel: Steel Construction Manual, American Institute of Steel Construction.
- Timber: "National Design Specifications for Wood Construction," American Forest and Paper Association.
- Concrete: "Building Code Requirements for Structural Concrete, ACI 318," American Concrete Institute.
- Liquid-Tight Concrete Slabs and Walls: "Code Requirements for Environmental Engineering Concrete Structures and Commentary, ACI 350," American Concrete Institute.
- HDPE/LLDPE Geomembrane: "HDPE and LLDPE Geomembrane Installation Specification," International Association of Geosynthetic Installers.

Treated Wood. When exposed to waste or elements, use preservative-treated wood that meets the requirements in the applicable American Wood Protection Association (AWPA) Standards or in an evaluation service report prepared by an organization recognized by the International Code Council (ICC). A listing of allowable preservatives includes but is not limited to CCA (Chromated Copper Arsenate), ACQ-C (Alkaline Copper Quat Type C), ACQ-D Carbonate (Alkaline Copper Quat Type D, Carbonate formulation), CuN (Copper Naphthenate), ACZA (Ammoniacal Copper Zinc Arsenate), CBA-A and CA-B (Copper Azole Types A and B).

Aluminum fasteners shall not be used in direct contact with treated wood. Use galvanized or stainless steel bolts, washers, nuts, nails, and other hardware which meet ASTM Specifications A153 for fasteners and A653 Class G185 sheet metal for connectors, Type 304 or 316 (stainless) steel, or other type of material or coating as approved by the preservative manufacturer. All fasteners, connectors, and any other metal contacting ACZA, ACQ or CA treated wood shall be stainless steel.

Access. Enclosed facilities, as the result of a roof or cover, shall provide suitable access, as necessary, for normal operation and maintenance of the waste facility.

Repair. Flexible roof and cover material shall be readily repairable by solvent, adhesive, thermoplastic welding, or according to manufacturer's recommendation. Rigid or semi-rigid roof and cover material shall be repairable by sectional replacement.

Safety. Roof and cover systems shall include safety features, including fences and warning signs, as appropriate, to prevent undue hazards.

Provisions shall be included to prevent the unintentional conveyance of biogas to connected facilities as a result of the roof or cover placement.

Additional Criteria For Rigid and Semi-rigid Roofs and Covers

Rigid and semi-rigid roofs and covers shall be designed to withstand all anticipated loads including but not limited to internal and external loads, uplift pressure, concentrated surface and impact loads and load combinations in compliance with this standard. Roofs, covers and associated support systems shall be designed to resist snow and wind loads as specified in the current version of ASCE 7, Minimum Design Loads for Buildings and Other Structures.

Covers intended for vehicle, equipment and/or livestock traffic shall be designed to withstand anticipated dead and live loads. The live load values for covers contained in ASAE EP378.3, Floor and Suspended Loads on Agricultural Structures Due to Use, and in ASAE EP393.3,

Manure Storages, shall be the minimum used. For tank wagons having more than a 2,000 gallon capacity, the actual axle load shall be used.

Equip openings in covered tank with grills or secure covers for safety, and for odor and vector control.

Roof structures shall be designed to prevent waste located under the roof from becoming a pollution problem. Structural practices for collecting roof runoff shall follow criteria outlined in NRCS conservation standard Roof Runoff Structure (558). All outside surface water shall be diverted from the roofed area.

Additional Criteria For Flexible Covers

Floating membrane covers shall be supplemented with floatation materials as necessary for proper function, operation, and maintenance.

Floating covers shall be designed to fluctuate with the liquid level as necessary to properly manage the storage facility.

Impermeable floating covers shall be designed with a biogas collection, transfer,an d control system to provide protection for the cover and convey biogas to a flare,re lease or control point.

Inflated covers shall be:

- Equipped with a warning system to notify operator of blower failure for mechanically forced air systems.
- Provided with a support system to limit cover collapse.

Flexible membrane cover systems shall be designed to resist snow, wind, and wind uplift loads as appropriate.

Additional Criteria For Biogas Control/Utilization

Biogas Emissions. The cover system shall provide for capture and control or utilization of biogas, bio-reduction and direct release of gaseous emissions, or contain and release of gaseous emissions, as appropriate.

Capture and Control/Utilization

The cover system shall be designed to capture biogas emissions and transfer to point of discharge without mixing with air. The point of discharge shall be equipped with a flare or utilization equipment as appropriate.

Bio-reduction and Direct Release

The cover shall be fabricated of a permeable composite membrane designed to promote biological treatment of gaseous emissions which pass through the membrane for direct release to the atmosphere.

Contain and Release

The cover system is designed for rainfall exclusion and not to specifically capture biogas. For systems which generate biogas, designs shall provide for the safe handling and transfer of the biogas.

Anchorage. The cover anchorage system shall be designed in a manner to resist internal gas pressures, corrosive environment, wind loads, air tightness (as necessary), or other forces as appropriate to the cover system.

Pressure. Roofs and covers associated with biogas production shall include provisions for fail safe pressure relief when interior pressures can exceed design operating pressures. Maximum pressure shall not exceed manufacturer's recommendations.

Precipitation. Impermeable covers shall direct precipitation to collection points for removal by pumping or by controlled release to suitable grassed or otherwise stabilized areas for discharge or infiltration.

Biogas Capture. The cover materials and all appurtenances such as weights and floats shall be designed to capture and convey biogas to the gas collection system. The cover design shall provide for the following:

1. Air Exclusion. The cover system and appurtenances, including perimeter soil slopes above the water line for in-ground digesters, shall be designed to exclude the entrance of air under all operating conditions.

2. Gas Collection, Control, and Utilization. The collection, control, and utilization of biogas shall meet appropriate criteria in NRCS conservation practice standard Anaerobic Digester (366).

Biogas Safety. As a minimum for all roofs and covers that contain or control biogas, the following warning signs shall be posted:

- "Warning Flammable Gas"
- "No Smoking"
- And when necessary: "Do Not Enter – Hazardous Gases"

Where biogas is captured, the gas collection and control/utilization system shall be designed in accordance with standard engineering practice for safely handling a flammable gas including safety criteria noted in NRCS conservation practice standard Anaerobic Digester (366).

CONSIDERATIONS

When designing the gas handling system, consider the large range in gas production that can occur as a result of changing climate and/or substrate conditions.

Consider storage of biogas when installing flexible covers over waste storage facilities or waste treatment lagoons to attenuate gas supply for end use or controlled release.

To further improve water quality, consider eliminating or reducing feedlot areas when placing livestock under roof.

Screening with vegetative plantings, landforms, or other measures may be implemented for aesthetic purposes.

To maintain storage capacity and functionality by minimizing solids accumulation, manure management methods such as solid/liquid separation should be considered.

For organic applications, consider using special construction material such as qualifying lumber as documented by an evaluation service recognized by the ICC. Other application considerations may also need to be made to address organic issues.

For areas where energy production is an option, consider adding energy recovery or production to the gas handling system. Energy recovery or production can offset additional air emissions from reduced fossil fuel combustion.

Waste facility covers which capture biogas may increase the nutrient content of the manure stored. Consider the effect this may have on the nutrient management plan.

Waste facility covers which capture biogas may increase the odor nuisance during agitation, pump out, and land application. Consider the effect this may have on the surrounding area and management options.

PLANS AND SPECIFICATIONS

Plans and specifications shall be prepared in accordance with the criteria of this standard. Define the purpose, goals and objectives of the practice. Include information about the location and construction sequence.

As a minimum, the plans and specifications shall provide the following:

1. Layout and location of waste management facility with roof or cover including waste collection points and planned access.
2. Grading plan showing excavation, fill, and drainage, as appropriate.
3. Materials and structural details of the roof or cover including all necessary appurtenances as appropriate for the complete system.
4. For roof and cover systems with gas collection and control include a listing of material, equipment, and necessary appurtenances.

OPERATION AND MAINTENANCE

An operation and maintenance (O&M) plan must be prepared and reviewed with the landowner or operator responsible for the application of this practice. The O&M plan shall provide specific instructions for proper operation and maintenance of each component of this practice and shall detail the level of repairs needed to maintain the effectiveness and useful life of the practice.

Develop an emergency action plan for covered systems associated with biogas production. The plan shall contain instructions as to limits of cover performance and emergency procedures if control equipment fails.

For enclosed waste facilities, exercise caution and care during cover removal or access. If opening of the cover is required for facility management, include provisions to prevent exposure of workers to hazardous gases.

If personnel are or may be required to enter an enclosed waste facility, include safety provisions recommended by NIOSH (National Institute for Occupational Safety and Health) for working in confined spaces including but not limited to using a positive-pressure self-contained breathing apparatus, safety line, and standby personnel.

REFERENCES

American Concrete Institute. 2008. Building Code Requirements for Structural Concrete, ACI 318-08. ACI Committee 318. ACI, Farmington Hills, MI.
www.concrete.org.

American Concrete Institute. Code Requirements for Environmental Engineering Concrete Structures. ACI Committee 530. ACI, Farmington Hills, MI.
www.concrete.org.

American Forest and Paper Association.20 05. National Design Specifications for Wood Construction. AF&PA, Washington, DC.
www.AFANDPA.org.

American Institute of Steel Construction. 2005. Steel Construction Manual, 13th Edition. AISC, Chicago, IL.
www.AISC.org.

American Society for Testing and Materials. Annual Book of ASTM Standards. Standard Specification for Zinc Coating (Hot-Dip) on Iron and Steel Hardware, A 153. ASTM, Philadelphia, PA.
www.ASTM.org.

American Society for Testing and Materials. Annual Book of ASTM Standards. Standard Specification for Steel Sheet, Zinc-Coated (Galvanized) or Zinc-Iron Alloy-Coated (Galvannealed) by the Hot-Dip Process, A 653. ASTM, Philadelphia, PA.
www.ASTM.org.

American Society of Agricultural and Biological Engineers. Floor and Suspended Loads on Agricultural Structures Due to Use, ASAE EP378.3. ASABE, St. Joseph, MI.
www.ASABE.org.

American Society of Agricultural and Biological Engineers. Manure Storages, ASAE EP393.3. ASABE, St. Joseph, MI.
www.ASABE.org.

American Society of Civil Engineers. Minimum Design Loads for Buildings and Other Structures, ASCE/SEI 7-05. ASCE, Reston, VA.
www.ASCE.org.

American Wood Protection Association. AWPA, Birmingham, AL.
www.AWPA.com.

International Association of Geosynthetic Installers. 2007. HDPE and LLDPE Geomembrane Installation Specification. IAGI, St. Paul, MN.
www.IAGI.org.

International Building Code. 2009. International Code Council (ICC). ICC, Whittier, CA.
www.ecodes.biz.

International Code Council Evaluation Service. International Code Council (ICC). ICC, Whittier, CA.
www.ICC-ES.org.

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT) * * * * PCB 2011-080 * * * * *
POLLUTION CONTROL FACILITY
AIR ☐ WATER ☒

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P. O. Box 19276, Springfield, IL 62794-9276

This Agency is authorized to request this information under Illinois Revised Statues, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

FOR AGENCY USE

File No.	Date Received	Certification No.	Date

Sec. A — APPLICANT

Company Name: Panther Creek Ranch, LLC	
Person Authorized to Receive Certification: Bob Parsons	Person to Contact for Additional Details: Terry Feldmann
Street Address: 576 County Road	Street Address: 7615 N Harker Drive
Municipality, State & Zip Code: Congerville, IL 61729	Municipality, State & Zip Code: Peoria, IL 61615
Telephone Number: (309) 696-2894	Telephone Number: (309) 693-7615

Location of Facility: Quarter Section	Township	Range	Municipality	Township
Sec 2	T25N	1W	Carlock	T25N

Street Address	County	Book Number
1895 Route 150, Congerville, IL 61729	Woodford	

Property Identification Number	Parcel Number
18-23-200-005	18-23-200-005

Sec. B — MANUFACTURING OPERATIONS

Nature of Operations Conducted at the Above Location: Horse and Beef Cattle

Water Pollution Control Construction Permit No.: N/A	Date Issued	
NPDES PERMIT No.: N/A	Date Issued	Expiration Date
Air Pollution Control Construction Permit No.: N/A	Date Issued	
Air Pollution Control Operating Permit No.: N/A	Date Issued	

Sec. C — MANUFACTURING PROCESS

Describe Unit Process: N/A

Materials Used in Process: N/A

RECEIVED
DEC 24 2009
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BOW/WPC/PERMIT SECTION

Sec. D — POLLUTION CONTROL FACILITY DESCRIPTION

Describe Pollution Abatement Control Facility: See Attached Document describing the facility

Sec. E — POLLUTION CONTROL FACILITY – CONTAMINANTS / ACCOUNTING DATA

(1) Nature of Contaminants or Pollutants

Contaminant or Pollutant	Material Retained, Captured or Recovered: DESCRIPTION	DISPOSAL OR USE
Feedlot Runoff from Beef Feedlot	Lot Runoff	Field application-crop nutrient
Manure and Bedding for Horses & Beef Cattle	Manure & Bedding	Field application-crop nutrient

(2) Point(s) of Waste Water Discharge

no discharge except that the Wastewater Vegetative Treatment Area (35 IAC part 570) outlets to a field

	Plans and Specifications Attached	Yes ☒	No ☐
(3)	Are contaminants (or residues) collected by the control facility?	Yes ☒	No ☐
(4)	Date installation completed 12/15/09 status of installation on date of application		
(5) a.	FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	$ 1,050,000.00	
b.	NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	$ 0.00	
c.	PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	$ 0.00	
d.	PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	$ 0.00	
e.	PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% 70	

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.

x Robert V. Piovarcsi — CO - owner

Signature — 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	Al Keller Permit Section Division of Water Pollution Control	Donald E. Sutton Permit Section Division of Air Pollution Control

MAURER ▲ STUTZ, INC.
ENGINEERS SURVEYORS
7615 North Harker Dr. TEL 309-693-7615
Peoria, IL 61615 FAX 309-693-7616

March 1, 2010

Keith Runge
Environmental Protection Engineer
Illinois EPA, Bureau of Water
PO Box 19276
Springfield, IL 62794-9276

RE: Illinois Property Tax Certification, Panther Creek Ranch, LLC
Facility ID LF#2030110002
IEPA Log No. TC-23-09

Dear Mr Runge:

Thank you for your call and letter.

Please find attached the description from the weir at the settling basin to the VTA including pipe lengths, junction boxes and manifolds. We have also attached some drawings that apparently did not get copied to you with the original submittal.

The 75 ft x 75 ft walker area is used daily to exercise horses. The base of this facility is an impermeable compacted clay. The area will also be used for manure collection for the urine and feces from the horses throughout the typical 8 hours per day usage. The urine and feces collected will be removed at an interval of no less frequent than once per week and transferred to the composting area for treatment and storage. The area is roofed to preclude precipitation and therefore runoff from the area to protect surface waters.

The facility is approved by the Illinois Department of Agriculture. The number is LF#2030110002. Brad Beaver is the point of contact at the Illinois Department of Agriculture.

Please feel free to contact us with any further questions.

Sincerely,

Terry L. Feldmann, PE
Principal/Agricultural Services Manager

Attachments: Additional Description of Pollution Control Facility and drawings

Copy: Bob Parsons, Panther Creek Ranch, LLC

S:\238\2004 project numbers\23804039C (Parsons horse training)\Correspondence\AIR response to IEPA re property tax certification.doc

STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on May 5, 2011, I served true and correct copies of an **APPEARANCE AND THE RECOMMENDATION**, upon the persons and by the methods as follows:

[1st Class U.S. Mail]
Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
Post Office Box 19033
Springfield, Illinois 62794

[1st Class U.S. Mail]
Terry Feldman
576 County Road.
Congerville, Illinois 61729

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ Vera Herst
Assistant Counsel
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276-
Springfield, Illinois 62794-9276
217.782.5544
217.782.9143 (TDD)