

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
PETITION OF C.J	)	AS 2027-001
GOODALL TIRE CO., INC.	)	(Adjusted Standard – Land)
FOR ADJUSTED STANDARDS	)	
FROM 35 ILL. ADM. CODE PART 848	)	

NOTICE OF FILING

To: John K. Kim
Brown, Hay & Stephens, LLP
205 S. Fifth Street, Suite 1000
P.O. Box 2459
Springfield, Illinois 62705-2459
jkim@bhslaw.com

Carol Webb
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren St.
Suite 630
Chicago, Illinois 60605
carol.webb@illinois.gov

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the RECOMMENDATION OF THE ILLINOIS EPA, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

/s/ Sara B. Samson

Sara B. Samson
Assistant Counsel

Illinois Environmental Protection Agency
2520 West Iles Avenue
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544
Sara.Samson@illinois.gov

Dated: September 14, 2026

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RECOMMENDATION OF THE ILLINOIS EPA

Now comes the Illinois Environmental Protection Agency (“Illinois EPA”) by its attorney, Sara B. Samson, and pursuant to 35 Ill. Adm. Code 104.416 provides this Recommendation to the Petition for Adjusted Standard filed in this cause on December 31, 2025. For the reasons that follow, Illinois EPA recommends that the adjusted standard petition be granted.

I. BACKGROUND

C.J. Goodall Tire Co., Inc. (“Goodall”) is the dealer of used off-the-road tires and rims. The tires are used in industrial applications. Jane Bergmann and Aaron Bergmann, as owner and operator of Goodall, were granted Permit No. UTP001 to operate a facility to receive, store, process, and transfer used tires at their business location at 905 West Boulevard, Belleville, Illinois 62221 (“Site”).

On October 31, 2024, the Illinois EPA conducted an inspection at the Site and observed violations of the Illinois Environmental Protection Act, the Illinois Pollution Control Board (“Board”) Regulations, and Used Tire Permit No.: UTP001. On January 9, 2025, the Illinois EPA issued Violation Notice L-2025-00008. On May 30, 2025, the Illinois EPA and Goodall entered into a Compliance Commitment Agreement (“CCA”) wherein Goodall agreed *inter alia*

to submit a petition to the Board for an adjusted standard pursuant to 415 ILCS 5/28.1 for an adjusted standard from 35 Ill. Admin. Code 848.202(c)(2) prior to December 31, 2025.

On December 31, 2025, Goodall filed a Petition for Adjusted Standard. The petition requests adjusted standards from 35 Ill. Adm. Code Part 848.202(a)(1)(B), 848.202(a)(1)(C), 848.202(c)(2), 848.303, and 848.304 to seek relief from provisions requiring firebreaks not less than 50 feet wide, minimum separation distance of 250 feet between electrical power line and stored tires, Daily Tire Records, and Annual Tire records.

II. SECTION 104.406 FACTORS

A. Section 104.406(a) – Standards from which adjusted standard is sought

The Illinois EPA does not take issue with Goodall's statements on this subject.

B. Section 104.406(b) – Promulgation of regulation of general applicability

The Illinois EPA does not take issue with Goodall's statements on this subject.

C. Section 104.406(c) – Level of Justification

The Illinois EPA does not take issue with Goodall's statements on this subject.

D. Section 104.406(d) – Petitioner's Activity

The Illinois EPA does not take issue with Goodall's statements on this subject.

E. Section 104.406(e) – Efforts necessary to comply

1. Compliance with Section 848.202(c)(2)

The Illinois EPA does not take issue with Goodall's statements on this subject.

2. Compliance with Sections 848.202(a)(1)(B) and 848.202(a)(1)(C)

The Illinois EPA does not take issue with Goodall's statements on this subject.

3. Compliance with Sections 848.303 and 848.304

The Illinois EPA takes issue with the statements of the feasibility of efforts necessary to comply with Sections 848.303 and 848.304. While Petitioner may certainly elect to purchase a commercial grade scale, one is not required to comply with the provisions of Sections 848.303 and 848.304. Under Section 848.106, Petitioner is permitted to estimate the weight of used and waste tire accumulations.

However, Goodall's proposed adjusted standard of Section 843.303 provides that the weight of used or waste tires is estimated by using the manufacturer specifications of new tires. This method of estimating the weight of used and waste tires will likely result in a more accurate weight estimation than the method of estimating tire weight found in Section 848.106

F. Section 104.406(f) – Proposed Adjusted Standard

The Illinois EPA does not take issue with Goodall's statement on this subject.

G. Section 104.406(g) – Quantitative and Qualitative impact on the environment

The Illinois EPA does not take issue with Goodall's statements on this subject.

H. Section 104.406(h) – Justification for the proposed adjusted standard

The Illinois EPA does not take issue with Goodall's statements on this subject.

I. Section 104.406(i) – Consistency with Federal Law

The Illinois EPA does not take issue with Goodall's statements on this subject.

J. Section 104.406(j) – Hearing

The Illinois EPA does not request a hearing on this matter. If the Board schedules a hearing, the Illinois EPA intends to participate.

K. Section 104.406(k) – Supporting documents or legal authorities

The Illinois EPA does not take issue with Goodall's statements on this subject.

L. Section 104.406(l) – Additional information

The Illinois EPA does not take issue with Goodall's statements on this subject.

Illinois EPA would like to note that if the requested Adjusted Standards are granted, the Petitioner will need to submit a permit modification application for Permit UTP001.

III. CONCLUSION

WHEREFORE the Illinois EPA recommends that adjusted standards as to Sections 848.202(a)(1)(B), 848.202(a)(1)(C), 848.202(c)(2), 848.303, and 848.304 be GRANTED.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

/s/ Sara B. Samson

Sara B. Samson
Assistant Counsel

Illinois Environmental Protection Agency
2520 West Iles Avenue
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Dated: September 14, 2026

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ENTRY OF APPEARANCE

The undersigned hereby enters her appearance in the above-captioned matter as counsel
for the Illinois Environmental Protection Agency.

Respectfully submitted,

/s/ Sara B. Samson

Sara B. Samon
Assistant Counsel

DATED: September 14, 2026

Illinois Environmental Protection Agency
2520 West Iles Avenue
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PROOF OF SERVICE

I hereby certify that I did on the 14th day of September 2026, send by electronic mail a true and correct copy of the following instrument(s) entitled RECOMMENDATION OF THE ILLINOIS EPA and APPEARANCE.

To: John K. Kim
Brown, Hay & Stephens, LLP
205 S. Fifth Street, Suite 1000
P.O. Box 2459
Springfield, Illinois 62705-2459
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Carol Webb
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren St.
Suite 630
Chicago, Illinois 60605
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and an electronic copy of the same foregoing instrument on the same date via electronic filing

To: Don Brown, Clerk
Pollution Control Board
60 E. Van Buren St.
Suite 630
Chicago, Illinois 60605

/s/Sara Samson

Sara B. Samson
Assistant Counsel

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