

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
 )  
PETITION OF C.J. ) AS 26-  
GOODALL TIRE CO., INC. ) (Adjusted Standard - Land)  
FOR ADJUSTED STANDARDS )  
FROM 35 ILL. ADM. CODE PART 848 )

**NOTICE OF FILING**

**To:** **Don Brown, Clerk** **Melanie Jarvis**  
Illinois Pollution Control Board Deputy General Counsel  
100 West Randolph St. Division of Legal Counsel  
Suite 11-500 Illinois Environmental Protection Agency  
Chicago, Illinois 60601 1021 North Grand Avenue East  
P.O. Box 19267  
Springfield, IL 62795-9276

Please take notice that on December 31, 2025 the Petitioner filed electronically with the Office of the Clerk of the Illinois Pollution Control Board, the attached Petition of C.J. Goodall Tire Co., Inc. for Adjusted Standards from 35 Ill. Adm. Code, Part 848, Certificate of Service, and Appearance, copies of which are served upon you.

Dated: December 31, 2025

Respectfully submitted,  
**C.J. Goodall Tire Co., Inc.,**  
**Petitioner.**

By: /s/ John J. Kim  
One of Its Attorneys

**BROWN, HAY & STEPHENS, LLP**  
John J. Kim, #6203296  
Claire D. Meyer, #6346059  
205 S. Fifth Street, Suite 1000  
P.O. Box 2459  
Springfield, IL 62705-2459  
(217) 544-8491

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
 )  
PETITION OF C.J. ) AS 26-  
GOODALL TIRE CO., INC. ) (Adjusted Standard - Land)  
FOR ADJUSTED STANDARDS )  
FROM 35 ILL. ADM. CODE PART 848 )

**APPEARANCE**

NOW COMES, JOHN J. KIM and CLAIRE D. MEYER, of Brown, Hay & Stephens, LLP and hereby enter their appearance as attorneys for the Petitioner, C.J. GOODALL TIRE CO., INC., in the above-captioned matter.

Dated: December 31, 2025

Respectfully submitted,

**C.J. Goodall Tire Co., Inc.,  
Petitioner.**

By: /s/ John J. Kim  
One of Its Attorneys

**C.J. Goodall Tire Co., Inc.,  
Petitioner.**

By: /s/ Claire D. Meyer  
One of Its Attorneys

**BROWN, HAY & STEPHENS, LLP**

John J. Kim, #6203296  
Claire D. Meyer, #6346059  
205 S. Fifth Street, Suite 1000  
P.O. Box 2459  
Springfield, IL 62705-2459  
(217) 544-8491

**CERTIFICATE OF SERVICE**

I, the undersigned attorney, certify that I have filed the documents described above electronically with the Illinois Pollution Control Board and served the Illinois Environmental Protection Agency with the same documents by First Class Mail, postage prepaid, on December 31, 2025.

**Don Brown, Clerk**  
Illinois Pollution Control Board  
100 West Randolph St.  
Suite 11-500  
Chicago, Illinois 60601

**Melanie Jarvis**  
Deputy General Counsel  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19267  
Springfield, IL 62795-9276

Dated: December 31, 2025

Respectfully submitted,  
**C.J. Goodall Tire Co., Inc.,**  
**Petitioner.**

By: /s/John J. Kim  
One of Its Attorneys

**BROWN, HAY & STEPHENS, LLP**  
John J. Kim, #6203296  
Claire D. Meyer, #6346059  
205 S. Fifth Street, Suite 1000  
P.O. Box 2459  
Springfield, IL 62705-2459  
(217) 544-8491

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
 )  
PETITION OF C.J. ) AS 26-  
GOODALL TIRE CO., INC. ) (Adjusted Standard - Land)  
FOR ADJUSTED STANDARDS )  
FROM 35 ILL. ADM. CODE PART 848 )

**PETITION FOR ADJUSTED STANDARD**

C.J. Goodall Tire Co., Inc. ("Goodall" or "Company"), by and through its attorneys, John J. Kim and Claire D. Meyer of Brown, Hay + Stephens, LLP, and pursuant to Section 28.1 of the Environmental Protection Act, 415 ILCS 5/28.1 (the "Act") and 35 Ill. Adm. Code §104.400 *et seq.*, petitions the Illinois Pollution Control Board (the "Board" or "IPCB") to grant it an adjusted standard from the regulations entitled Standards for the Management of Used and Waste Tires, 35 Ill. Adm. Code Part 848 ("Part 848"), at the Company's business operations located at 905 West Boulevard, Belleville, Illinois 62221 (the "Goodall Facility"), as the Petitioner primarily deals in used off-the-road ("OTR") heavy equipment tires.

**I. BACKGROUND**

Goodall is located in the City of Belleville, St. Clair County, Illinois. The Company is a dealer of used off-the-road tires and rims. Off-the-road tires are specifically designed for use with heavy machinery and equipment, often in rugged and harsh off-road conditions. These tires are used in industrial rather than passenger applications.

On November 17, 1992, Goodall filed an amended petition for adjusted standard with the Board, requesting an exemption from the 14-day storage limitation for used and waste tires found in 35 Ill. Adm. Code 848.202(b)(5), the unit dimension and aisle spacing requirements found in 35 Ill. Adm. Code 848.202(c)(5)(B), and the financial assurance requirements found

in 35 Ill. Adm. Code 848.404. On March 25, 1993, after a review of the record, the Board granted Goodall's requested adjusted standard from Sections 848.202(b)(5) and 848.202(c)(5)(B) and from the use of the passenger tire equivalent to determining the number of tires on the site. The Board found that the circumstances surrounding the Goodall Facility were substantially and significantly different from the factors relied upon by the Board when adopting the rule of general applicability, as Goodall does not deal in passenger tires. (AS 92-6 March 25, 1993 Order and Opinion of the Board p. 14-15).

In its March 25, 1993 Opinion and Order, the Board noted that in adopting the used tire regulations of general applicability in Docket R88-24, the Board frequently referred to common passenger sized tires and tire piles. Furthermore, the Board noted that “[i]n adopting the rule of general applicability, the Board envisioned facilities that processed thousands to millions of common passenger tires. The Board believed that these facilities are able to process their tires quickly and structured the rules to encourage a quick turn-over.” (Op. and Order p. 14).

On September 5, 2015, the Board amended its regulations under Part 848, in part, because of concerns over the number of tire fires since Part 848 was last amended.

On September 13, 2023, Jane Bergmann and Aaron Bergmann, as owner and operator of Goodall, were granted Permit No. UTP001 by the Illinois Environmental Protection Agency (“IEPA”) to receive, store, process, and transfer used tires at the Goodall Facility.

On October 31, 2024, the IEPA conducted a routine inspection of the Goodall Facility to determine compliance with Illinois' used tire requirements as set forth in the Act (415 ILCS 5/55, et seq.) and related regulations (35 Ill. Adm. Code Part 848). Pursuant to the inspection,

the following violations (as documented in Violation Notice L-2025-00008, attached as Exhibit 1) were alleged to have occurred:

- i) The [Goodall] Facility failed to post a sign indicating hours of operation and the types of tires that may be received.
- ii) The Facility allowed used or waste tires to be placed on or accumulated inside a building that failed to be separated by a firebreak that is no less than 50 feet. *See* 35 Ill. Adm. Code 848.202(a)(1)(B).
- iii) The Facility allowed used or waste tires to be placed on or accumulated in storage piles that failed to be separated from all trees by a firebreak that is not less than 100 feet wide. *See* 35 Ill. Adm. Code 848.202(a)(1)(E).
- iv) The Facility allowed used or waste tires to be placed on or accumulated in storage piles that failed to be separated from all of the site's property boundaries by a fire break that is no less than 50 feet. *See* 35 Ill. Adm. Code 848.202(a)(1)(C).
- v) The Illinois EPA inspector observed tire stacks that were located underneath a powerline. In accordance with 35 IAC § 848.202(c)(2), no used or waste tire shall be placed on or accumulated within 250 feet horizontally of the ground surface directly beneath any powerline in excess of 750 volts or that supplies power to a fire system. *See* 35 Ill. Adm. Code 848.202(c)(2).
- vi) The Facility failed to keep daily tracking reports. *See* 35 Ill. Adm. Code 848.302(a).
- vii) The Facility failed to submit an annual tire summary since 2022. *See* 35 Ill. Adm. Code 848.302(a).

- viii) The Facility failed to have tire tracking receipts for incoming tires or tires that were sold through the facility. *See* 35 Ill. Adm. Code 848.302(a).
- ix) The Facility allowed the storage site to take in tires in excess of the amount for which financial assurance is maintained. Per the Permit, the Facility is currently insured up to 315 tons of used tires and the total tonnage was calculated to be approximately 534 tons. *See* 415 ILCS 5/55(d-6).

In Response to this Violation Notice, Goodall worked closely with the IEPA in order to address the alleged violations. On May 30, 2025, Goodall and the IEPA entered into a Compliance Commitment Agreement (“CCA”), in which Goodall agreed *inter alia* to submit a petition to the IPCB for an adjusted standard pursuant to 415 ILCS 5/28.1 for an adjusted standard from 35 Ill. Adm. Code 848.202(c)(2) prior to December 31, 2025.

**II. REGULATIONS FROM WHICH ADJUSTED STANDARDS ARE SOUGHT  
(35 ILL. ADM. CODE 104.406(A))**

Goodall requests adjusted standards from the following provisions for used and waste tires found at 35 Ill. Adm. Code 848.202(a)(1)(B), (a)(1)(C), and (c)(2), effective September 8, 2015.

**848.202(a)(1)(B)-(C)**

(a) Owners and operators of any site at which more than 50 used or waste tires are located at any one time must comply with the following requirements:

(1) No used or waste tires shall be placed or accumulated outside of a building or fully enclosed container, unless the used or waste tires are placed on or accumulated in a storage pile that is separated from: \* \* \*

(B) all buildings, whether on or off site, by a firebreak that is not less than 50 feet wide;

(C) all of the site's property boundaries by a firebreak that is not less than 50 feet wide;

848.202(c)(2)

(c) In addition to the requirements set forth in subsections (a) and (b), owners and operators of any site at which more than 125 tons of used or waste tires are located at any one time must comply with the following requirements: \* \* \*

(2) No used or waste tires shall be placed or accumulated within 250 feet horizontally of the ground surface directly beneath any electrical power line that has a voltage in excess of 750 volts or that supplies power to a fire emergency system.

848.303

a) The owner or operator must maintain a Daily Tire Record at the site. The Daily Tire Record must include the day of the week, the date, the Agency designated site number, the site name and address, and the additional information required under this Section.

b) Information relative to the daily receipt and disposition of used and waste tires at the site must be recorded in the Daily Tire Record, including, but not limited to:

1) the name and registration number of each tire transporter who transported used or waste tires to the site during the operating day and the weight, in tons, of used or waste tires received at the site from the transporter during the operating day;

2) the name and registration number of each tire transporter who transported used or waste tires from the site during the operating day, the weight, in tons, of used or waste tires transported from the site by the transporter during the operating day, and the name, address, and telephone number of the destination facility;

3) the weight, in tons, of used or waste tires burned or combusted at the site during the operating day; and

- 4) the weight, in tons, of used or waste tires remaining at the site at the conclusion of the operating day.
- c) Entries on the Daily Tire Record required to be made under this Section must be made by the end of each operating day.

848.304

- a) The owner or operator must submit an Annual Tire Summary to the Agency for each calendar year. The Annual Tire Summary must be in a form prescribed by the Agency and must include the Agency designated site number, the site name and address, and the calendar year for which the summary applies.
- b) Information relative to the annual receipt and disposition of used and waste tires at the site must be recorded in the Annual Tire Summary, including, but not limited to:
  - 1) the weight, in tons, of used or waste tires received at the site during the calendar year;
  - 2) the weight, in tons, of used or waste tires transported from the site during the calendar year;
  - 3) the weight, in tons, of used or waste tires burned or combusted at the site during the calendar year; and
  - 4) the weight, in tons, of used or waste tires remaining in storage at the site at the conclusion of the calendar year.
- c) The Annual Tire Summary must be received by the Agency on or before January 31 of each year and must cover the preceding calendar year.

**III. STATEMENT OF APPLICABILITY (35 ILL. ADM. CODE 104.406(B))**

The regulation of general applicability at issue was not promulgated to implement, in whole or in part, the requirements of the Clean Water Act (33 U.S.C. 1251 et seq.) (1988), Safe Drinking Water Act (42 U.S.C. 300(f) et seq.) (1988), Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601 et seq.), Clean Air Act (42 U.S.C. 7401 et seq.) (1988), or the state programs concerning the Resource Conservation and Recovery Act (“RCRA”), Underground Injection Control (“UIC”), or the National Pollutant Discharge Elimination System (“NPDES”).

**IV. LEVEL OF JUSTIFICATION (35 ILL. ADM. CODE 104.406(C))**

The regulation of general applicability does not specify a level of justification or other requirements. The level of justification specified in Section 28.1(c) of the Act states that the Board may grant individual adjusted standards whenever the Board determines, upon adequate proof by the petitioner, that (1) the factors relating to the Petitioner are substantially and significantly different from the factors relied upon by the Board in adopting the general regulation applicable to that petitioner; (2) the existence of those factors justifies an adjusted standard; (3) the requested standard will not result in environmental or health effects substantially and significantly more adverse than the effects considered by the Board in adopting the rule of general applicability; and (4) the adjusted standard is consistent with any applicable federal law. 415 ILCS 5/28.1(c)(1)-(4).

**V. DESCRIPTION OF PETITIONER'S ACTIVITY (35 ILL. ADM. CODE 104.406(D))**

C.J. Goodall Tire Co., Inc., is located in the City of Belleville, St. Clair County, Illinois and is a dealer of used OTR tires and rims. All the tires at the Goodall Facility that have been

processed, inspected, and accepted for commercial purposes are usable tires. If junk tires or semi tires come to the property, any unusable portions (in whole or part) are unloaded and immediately placed in a shredder for proper disposal at a permitted landfill. Goodall has been in operation since 1939 and is currently owned and operated by Jane Bergmann and Aaron Bergmann. Goodall currently employs six (6) full-time employees and three (3) part-time employees. Goodall supplies quality used OTR heavy equipment wheels, tires, and rims for many types of equipment such as scrapers, loaders, graders, trucks, tractors, and backhoes along with mining, construction, and agricultural equipment. Goodall's OTR tires mainly consist of farming, mining, and quarry tires. Goodall does not have a service department for mounting or repairing automotive size tires, nor does it stock passenger tires.

The Goodall Facility is comprised of a warehouse, a truck inspection shed, and a steel shed. The warehouse, which is roughly 250 x 60 feet and located on the northeast side of the property, is the main building on site that houses a majority of the trailer and small resale tires. All buildings at the Goodall Facility are locked daily and are not accessible after working hours. The office and tire repair shop are also located in the warehouse. The truck inspection shed is located southeast of the warehouse and is where Goodall conducts tire inspections. The steel shed, located southwest of the warehouse, is used for the storage of steel and tires to be processed. The Goodall Facility is surrounded by a high chain-link fence. All fence and property lines are inspected monthly, and the weeds are maintained.

Currently, Goodall has approximately 3,500 tires on its property. These tires are stored both inside and outside. All of the tires are stored in rows that allow for access on either side and are separated by size and arranged in specific areas around the Goodall Facility. Most of the tires that have a rim diameter of 25 inches or larger are stored outside, and most of the tires

with a rim diameter of less than 25 inches are stored inside the warehouse. Roughly 750-1000 of these tires are new tires that have never been mounted. Goodall does not store any of its outside tires in stacks, as to prevent water retention and mosquitos. Once a month, every tire at the Goodall Facility is sprayed by a licensed pest control applicator. Every tire that is brought to the facility has the water immediately removed to ensure any mosquitos and larva are killed prior to processing.

Each tire entering upon the Goodall Facility is inventoried and assigned a number. Goodall maintains an extremely detailed inventory spreadsheet containing the following information: reference number; serial number, size, brand, model, Tire and Rim Association (“TRA”) code, ply, condition and description. Goodall maintains pictures of each tire for sale which are available on its website. Additionally, Goodall maintains a spreadsheet of all estimated weights of tires received and transported to and from the facility. Most tires at the Goodall Facility are sold within a year’s time.

## **VI. EFFORTS NECESSARY TO COMPLY (35 ILL. ADM. CODE 104.406(E))**

### **A. Compliance with Section 848.202(c)(2).**

Complying with 848.202(c)(2) is unmanageable for the Goodall Facility with the arrangement of its buildings, as there is only a 10 x 20 square foot portion where compliance would be feasible. Compliance would require Goodall to completely change the layout of its current operation, decrease its tire intake, or relocate to a new facility. Without drastically decreasing its intake of OTR tires, which would essentially make operations profitless, the estimated overall capital costs of compliance with the above regulation as-is would likely exceed \$500,000.

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

Complying with Sections 848.202(a)(1)(B)-(C) would also be infeasible for the Goodall Facility with the arrangement of its buildings. Goodall has always maintained a 25-foot buffer so that large trucks are capable of driving and surveying the property. In case of a fire or other emergency, all tires and buildings are accessible for side access. Compliance with the regulations as-is would require Goodall to completely change the layout of its current operation, including construction of an additional building. Other economically infeasible options would be to decrease its tire intake or relocate to a new facility. The estimated overall capital costs of compliance with the above regulation as-is would likely exceed \$250,000 for the construction of an additional building to store the tires, with the cost of relocating to a new facility being well above the \$250,000 estimate.

**C. Compliance with Sections 848.303 and 848.304**

Complying with Sections 848.303 and 848.304 would require Goodall to adopt an entirely new intake process for its tires. This new process would require a commercial grade scale and additional labor. The estimated overall capital costs of compliance with the above regulation as-is would likely exceed \$145,000, which would include the purchase of a commercial grade scale at an estimated cost of \$85,000 and the hiring of an additional full-time employee at an estimated cost of \$60,000.

**VII. PROPOSED ADJUSTED STANDARD (35 ILL. ADM. CODE 104.406(F))**

Petitioner's requested revisions change the language in Sections 848.202(a)(1)(B) and 848.202(a)(1)(C) to decrease the boundary requirements for used or waste tires accumulated outside of a building or fully enclosed container to 25 feet rather than 50 feet as contained in the requirement. The requested revisions would also change the language in Section

848.202(c)(2) to decrease limit of the horizontal measurement between the tires and the electrical power line. Finally, the requested revisions would exempt Goodall from the Daily Tire Record and Annual Tire Summary Regulations found under Sections 848.303 and 848.304. Instead, Goodall would follow an approved record-keeping system that would allow it to maintain an inventory of tires without disrupting its overall tire intake process.

C.J. Goodall Co., Inc., Tire Repair Site.

For a site owned and operated by Goodall Tire Co., Inc., located at 905 West Boulevard, Belleville, Illinois, the scope of exemption and alternate management standards applied to that facility are as follows:

Section 848.202(a)(1)(B)-(C)

(a) Owners and operators of any site at which more than 50 used or waste tires are located at any one time must comply with the following requirements:

(1) No used or waste tires shall be placed or accumulated outside of a building or fully enclosed container, unless the used or waste tires are placed on or accumulated in a storage pile that is separated from:

(C) all of the site's property boundaries by a firebreak that is not less than 50 feet wide;

The proposed adjusted standard would decrease the “buffer zone” from 50 feet to 25 feet.

Section 848.202(c)(2)

(c) In addition to the requirements set forth in subsections (a) and (b), owners and operators of any site at which more than 125 tons of used or waste tires are located at any one time must comply with the following requirements:

(2) No used or waste tires shall be placed or accumulated within 250 feet horizontally of the ground surface directly beneath any electrical power line that has a voltage in excess of 750 volts or that supplies power to a fire emergency system.

The objective is to maintain safety precautions, while still allowing Goodall to operate its business at its current location.

Section 848.303

a) The owner or operator must maintain a Daily Tire Record at the site. The Daily Tire Record must include the day of the week, the date, the Agency designated site number, the site name and address, and the additional information required under this Section.

b) Information relative to the daily receipt and disposition of used and waste tires at the site must be recorded in the Daily Tire Record, including, but not limited to:

1) the name and registration number of each tire transporter who transported used or waste tires to the site during the operating day and the weight, in tons, of used or waste tires received at the site from the transporter during the operating day;

2) the name and registration number of each tire transporter who transported used or waste tires from the site during the operating day, the weight, in tons, of used or waste tires transported from the site by the transporter during the operating day, and the name, address, and telephone number of the destination facility;

3) the weight, in tons, of used or waste tires burned or combusted at the site during the operating day; and

4) the weight, in tons, of used or waste tires remaining at the site at the conclusion of the operating day.

- c) Entries on the Daily Tire Record required to be made under this Section must be made by the end of each operating day.

Section 848.304

- a) The owner or operator must submit an Annual Tire Summary to the Agency for each calendar year. The Annual Tire Summary must be in a form prescribed by the Agency and must include the Agency designated site number, the site name and address, and the calendar year for which the summary applies.
- b) Information relative to the annual receipt and disposition of used and waste tires at the site must be recorded in the Annual Tire Summary, including, but not limited to:
  - 1) the weight, in tons, of used or waste tires received at the site during the calendar year;
  - 2) the weight, in tons, of used or waste tires transported from the site during the calendar year;
  - 3) the weight, in tons, of used or waste tires burned or combusted at the site during the calendar year; and
  - 4) the weight, in tons, of used or waste tires remaining in storage at the site at the conclusion of the calendar year.

- c) The Annual Tire Summary must be received by the Agency on or before January 31 of each year and must cover the preceding calendar year.

The Goodall Facility faces significant challenges in accurately maintaining a daily tire record due to the IEPA's use of the Passenger Tire Equivalent ("PTE") system, which

calculates tire quantities based on weight rather than actual tire count. Goodall deals almost exclusively with OTR tires, a single tire of which averages roughly 1,500 pounds, whereas a standard car tire weighs only 15 pounds. This methodology introduces serious inaccuracies for operations like Goodall's, which deals in a wide range of tire sizes and weights, especially OTR tires. While the IEPA has acknowledged that this system is an approximation, it still expects Goodall to maintain precise records based on inherently imprecise and incompatible metrics. This creates a disconnect between actual inventory movements and the numbers reflected in Goodall's daily log.

Further complicating matters is the reality of Goodall's day-to-day operations. When Goodall receives a trailer load of tires, there are many times when only a handful of tires are suitable for resale. The remaining tires are shredded and ultimately properly disposed of. All tires that come to the Goodall Facility that are disposed of are accurately weighed when taken to the landfill. However, reconciling this data with the IEPA's estimated PTE counts, especially when dealing with vastly different tire types and sizes, is extremely difficult and often leads to questions about the "missing" weight or count at the end of the year.

Additionally, Goodall frequently processes semi-truck tires by removing their sidewalls, which are then banded and stacked in groups of 30 for resale. While these processed tires are not discarded, the IEPA still classifies the sidewalls as waste, adding to the total PTE count. The inherent variability in tire sizes and the limitations of the PTE system make it extremely difficult, if not impossible, to maintain truly accurate daily tire records using the current regulations.

As previously stated, Goodall currently maintains an inventory of its tires that contains the following information: availability, reference number, serial number, size, type, brand,

model, TRA code, ply, condition, and description. Additionally, Goodall maintains a website where pictures of each tire can be found. Due to the quick turnaround of the tires, it would be a great hardship to weigh each tire that enters the Goodall Facility.

### **VIII. DESCRIPTION OF IMPACT (35 ILL. ADM. CODE 104.406(G))**

Requiring Goodall to comply with the regulations of general applicability as opposed to the proposed adjusted standard would not have any substantial beneficial impacts.

Requiring Goodall to adhere to the setback and firebreak standards as prescribed would not make any difference in terms of environmental effects. The tires stored at the Goodall Facility are useable OTR tires, not waste tires. There is little difference between these used OTR tires and new tires which are not subject to any regulations under Part 848. In fact, useable OTR tires and new tires are not segregated but rather grouped together by normal sorting, so that previous inspectors have been unable to distinguish between the two at recent inspections. Moreover, Goodall has always ensured that the firebreak has sufficient space to allow for a fire truck to pass through, ensuring accessibility in case of an emergency.

Further, an adjustment to the regulations of general applicability regarding the daily tire record and annual tire summary would not have any quantitative or qualitative impact on the environment. Although Goodall does not have a daily or annual determination of tire weight, it manages an alternate and effective form of tire identification, including pictures of each tire located at the Goodall Facility.

### **IX. STATEMENT OF JUSTIFICATION (35 ILL. ADM. CODE 104.406(H))**

#### **A. Firebreak and setback requirements.**

In its March 25, 1993 Opinion and Order, the IPCB recognized that the Goodall Facility is differently situated than those facilities it envisioned in devising the used tire rules. (March

25, 1993 Op. and Order, p. 8). Here, the IPCB noted that that it frequently referred to common passenger sized tires and tire piles.

In discussing the additional requirements for facilities which contain more than 5,000 used or waste tires, Mr. Todd Marvel, then the manager of the Used Tire Program in the IEPA's Bureau of Land, indicated that every single of the major tire fires over the years in the State of Illinois occurred at storage/processing facilities that contain numbers much greater than 5,000 used tires. (R 15-19 March 5, 2015 Tr., p. 44:24-45:3).

**B. Daily and annual tire records.**

As explained previously, Goodall maintains a thorough inventory of all its tires maintained on site. Although it does not maintain a record of the exact weight in tons of daily/yearly tires, it maintains an estimated record based upon the available data available to it.

**X. CONSISTENCY WITH FEDERAL LAW (35 ILL. ADM. CODE 104.406(I))**

This request for an adjusted standard will not conflict with Federal law as stated at Title 40, Protection of the Environment, of the Code of Federal Regulations.

**XI. HEARING ON ADJUSTED STANDARD**

Goodall does not request a hearing on this Petition as the facts and justification are sufficiently set forth herein. However, if the Board feels that testimony would be helpful, then Goodall will not object to a hearing and will fully participate.

**XII. CITES TO SUPPORTING DOCUMENTS**

As required by 35 Ill. Adm. Code 104.406(k), Goodall has provided the citations to relevant supporting documents and legal authorities throughout this Petition.

### **XIII. ADDITIONAL INFORMATION**

As required by 353 Ill. Adm. Code 104.406(l), Goodall has provided required information as applicable to its request. There is no additional information that needs to be provided.

### **XIV. CONCLUSION**

For the reasons stated above, C.J. Goodall Tire Co., Inc. respectfully requests that the Illinois Pollution Control Board enter an Order granting Goodall's proposed Adjusted Standard as set forth herein.

Dated: December 31, 2025

Respectfully submitted,

**C.J. Goodall Tire Co., Inc.,  
Petitioner.**

By: /s/ John J. Kim  
One of Its Attorneys

**BROWN, HAY & STEPHENS, LLP**

John J. Kim, #6203296  
Claire D. Meyer, #6346059  
205 S. Fifth Street, Suite 1000  
P.O. Box 2459  
Springfield, IL 62705-2459  
(217) 544-8491