

ILLINOIS POLLUTION CONTROL BOARD  
October 1, 1992

IN THE MATTER OF: )  
 )  
ADJUSTED STANDARD OF C.J. ) AS 92-6  
GOODALL TIRE CO. INC. FROM ) (Adjusted Standard)  
35 Ill. Adm. Code 848.202 )  
(USED AND WASTE TIRES) )

ORDER OF THE BOARD (by G.T. Girard):

On September 8, 1992, petitioner filed a petition requesting an adjusted standard from the Board's Used and Waste Tire regulations. (35 Ill. Adm. Code 848.) The specific request in the petition is for relief from the 14-day storage provisions. However, the suggested language includes relief from the removal cost estimate requirements as well as aisle spacing and storage arrangements. The requirements for the contents of a petition for an adjusted standard are found in the Board's procedural rules at 35 Ill. Adm. Code 106.705. The petition received by the Board is deficient in some respects. Areas where more information is needed include the following:

1. Tire inventory data. Since the focus of the requested relief is the storage of over-sized tires, the petition should include the number of over-sized tires stored in the tire yard as well as the number of oversized tires that are repaired and sold on a monthly or annual basis.
2. Compliance alternatives and cost issues. The petitioner should provide additional information regarding:
  - a) A Detailed explanation of why the use of a tarp failed to be adequate and whether there are different types of tarps or similar materials that are available in the market place for covering used tires to prevent water seepage, as well as the cost of such materials.
  - b) An explanation of why storage of over-sized tires in an open-sided building is not a viable alternative.
  - c) A discussion of the costs associated with each alternative as well as other material factors such as labor costs and practical problems.
3. An explanation of how petitioner will comply with all other management standards of Part 848

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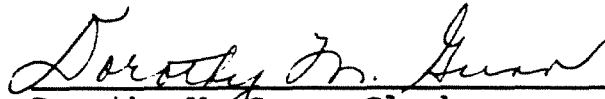
including tire storage arrangement and aisle space (Pet. at 10). The Board notes that based on the dimensions of the existing tire storage units (90 feet by 100 feet) (Pet. at 4 and Ex. 5), it appears that the 25-foot aisle space maintained between the units is less than the minimum separation distance required under the Board regulations at 35 Ill. Adm. Code 848.202 (c)(5)(B).

4. Justification for the inclusion in the proposed adjusted standard of an exemption that allows petitioner to exclude one fourth of the previous year's tire production when estimating the cost of tire removal under 35 Ill Adm. Code 848.404 (Pet. at 6).
5. Justification for the alternate management standards proposed by the petitioner which requires the implementation of a plan that includes alternate tire storage arrangements and aisle space (Pet. at 6).

The Board also notes that the language for the proposed adjusted standard is in regulation form; more specific language should be drafted in the format of an adjusted standard. In addition, the Board has not received the certificate of publication required by 35 Ill. Adm. Code 106. The Board directs the petitioner to file an amended petition addressing at least the factors outlined above no later than November 15, 1992 or the petition may be subject to dismissal.

IT IS SO ORDERED

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 1<sup>st</sup> day of October, 1992, by a vote of 7-0.

  
 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board

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