

BEFORE THE
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
STATE OF CALIFORNIA

In the Matter of:)	Case No. 2000-94
)	OAH No. L-2001110521
RALPH I. GRIBBLE,)	
Property Owner)	
)	
Respondent.)	
_____)	

DECISION

The parties to this action, the California Integrated Waste Management Board (CIWMB), represented by Lynda Williams, Staff Attorney, and Ralph Gribble (Gribble), Property Owner, site located at Assessors Parcel Number 0452-092-01, (Facility) San Bernardino, California, appeared on January 15, 2002, before Administrative Law Judge Richard J. Lopez of the Office of Administrative Hearing. The parties agree to the following stipulated findings of fact submitted on February 27, 2002.

STIPULATED FINDINGS OF FACT

1. Gribble stored in excess of 800 waste tires at the facility for several years without first obtaining a permit to do so from CIWMB in violation of Public Resources Code section 42850 et seq. and Title 14 CCR section 17350 et seq. relating to the storage of waste tires.
2. A claim of violation has been filed by the CIWMB as 2000-94AC against Gribble for storing in excess of 800 waste tires at the facility and Gribble admits to the violation as alleged in the complaint.

3. Beginning December 20th, 2001, Gribble has reduced the number of waste tires at the site to less than 800 waste tire equivalents at his own expense.
4. In consideration of Findings 1,2, and 3 the parties did stipulated to a final decision to be issued by agreement as follows:

STIPULATED TERMS OF DECISION

1. CIWMB and Gribble stipulate to this Administrative Decision by Stipulation (“Decision”) in favor of the CIWMB in the sum of \$1,000, and CIWMB agrees to forego imposition of further penalties or fines for violations of the Public Resources Code and the related provisions of California Code of Regulations at the facility if Gribble meets all of the following terms and conditions and in a timely matter.
 2. Gribble will remove the remaining tires from the site by April 15th, 2002. Removal of tires is to be substantiated by inspection of the facility by CIWMB staff within 14 days or by April 29th, 2002.
 3. Gribble will provide copies of all manifests to CIWMB inspector Vance Tracy, as required by PRC section 42961.5 and establish proper removal of all waste tires from the site to a facility that is authorized to accept waste tires for disposal. These manifests and receipts reflecting payment to a registered waste tire hauler for removal of the tires shall be submitted no later than April 19th, 2002.
 4. If the following is met, Gribble shall pay to the CIWMB the sum of \$1,000 as follows:

- (a) Payment by Gribble, to the CIWMB of the sum of \$100 no later than 90 days after the date that the final decision is served upon Gribble or April 30th, whichever is later;
 - (b) Payment by Gribble to the CIWMB of a sum no less than \$100 on or before the 30th of the month of each following month, until the amount of \$1,000 is paid.
5. Payments shall be made to the CIWMB, Attn: Kim Kotey, at P.O. Box 4025, Sacramento, CA 95812, or to such other person and/or place as the CIWMB or its agent may from time to time designate in writing. If any payment is not received within five days of the due date, then Gribble shall be deemed in default of this Decision and the CIWMB or its agent may enforce the Decision as provided in the stipulation on the record and reflected in this document.
6. In the event that the facility has not been remediated as provided above, then the entire penalty as alleged in Complainant 2000-94, or \$3,000, shall be due and owing to CIWMB immediately. Further, CIWMB may pursue appropriate and immediate action to enforce the terms of this Decision and to collect the sums specified within the terms of this stipulated Decision.

Dated: March 11th, 2002

RICHARD J. LOPEZ
Administrative Law Judge
Office of Administrative Hearings