

1 MARIE W. CARTER, CHIEF COUNSEL, SBN# 070403  
2 WENDY BRECKON, STAFF COUNSEL, SBN# 182952  
3 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD  
4 1001 I Street, 23<sup>rd</sup> Floor  
5 P. O. Box 4025  
6 Sacramento, CA 95812-4025  
7 Telephone: (916) 341-6068

8 STATE OF CALIFORNIA  
9 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

10 IN THE MATTER OF:	}	
11 OSCAR TARULA		ADMINISTRATIVE DECISION PURSUANT TO
12 OWNER AND OPERATOR,		STIPULATION FOR ISSUANCE OF
13 d/b/a: JULIAN'S DISCOUNT TIRES		ADMINISTRATIVE DECISION
14 TPID NO: 1281263 (Formerly No. 1990)		AGENCY NO: 2005-0109169-AC
15 RESPONDENT		

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17 The California Integrated Waste Management Board ("CIWMB") served an Administrative  
18 Complaint and Request for Hearing form on Oscar Tarula, Owner and Operator d/b/a Julian's  
19 Discount Tires ("RESPONDENT"), on July 14, 2005. RESPONDENT negotiated a settlement  
20 agreement with the CIWMB. Pursuant to the "Stipulation for Issuance of Administrative  
21 Decision" dated August 25, 2005, entered into by and between the CIWMB and  
22 RESPONDENT and good cause appearing therefore, the following Stipulated Factual  
23 Findings and Conclusions of Law are made, and the following Stipulated Order is issued:

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<u>Manifest Number</u>	<u>Date</u>
M4-1774990	January 13, 2005
M4-1774702	January 19, 2005
M6-1774992	February 3, 2005
M9-1774995	February 16, 2005
M4-1774999	March 2, 2005
M6-1775000	March 18, 2005
M9-1774723	March 31, 2005
M7-1774705	April 13, 2005

**STIPULATED LEGAL CONCLUSIONS**

6. OSCAR TARULA, owner/operator of JULIAN'S DISCOUNT TIRES is in violation of PRC section 42951, which makes it unlawful, on or after January 1, 1995, to engage in the transportation of waste tires unless holding a valid Waste Tire Hauler Registration, unless exempted as specified in PRC section 42954.

7. The CIWMB's authority to assess civil penalties against OSCAR TARULA, owner/operator of JULIAN'S DISCOUNT TIRES as a waste tire hauler, is set forth in PRC section 42962 and in Title 14 of the California Code of Regulations section 18464.

8. Pursuant to 14 California Code of Regulations section 18464, the waste and used tire hauler penalty tables, the negotiated penalty of \$8,000.00 (Eight Thousand Dollars), with \$4,000.00 (Four Thousand Dollars) stayed for two (2) years, is within CIWMB's discretion.

**ORDER**

Good cause appearing, Complainant's motion to take action in accordance with the provisions of Government Code Section 11520, subdivision (a) is granted.

THE FOLLOWING ORDER is hereby made:

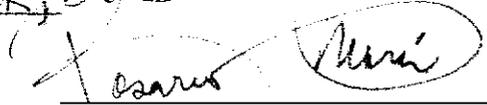
RESPONDENT is ordered to pay an administrative penalty of \$4,000.00 (Four Thousand Dollars) to the CIWMB. RESPONDENT shall make 24 (twenty-four) payments in the sum of \$185.00 (One Hundred Eighty-Five Dollars) on the first day of each month

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1 commencing on October 1, 2005. Interest shall accrue at the rate of 10% per year.  
2 RESPONDENT may avoid payment of interest by submitting payment in full by October 1,  
3 2005.

4 This DECISION shall become effective 9/20/05.

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6 Dated this 20<sup>th</sup> day of September, 2005

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9 ROSARIO MARIN  
10 Chair  
11 CALIFORNIA INTEGRATED WASTE  
12 MANAGEMENT BOARD  
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