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8  
9 STATE OF CALIFORNIA

10 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

11 In the Matter of:

12 DONALD J. GRISCHOTT, FLOREN C.  
13 GRISCHOTT, AND MARILYN F.  
14 GRISCHOTT,  
15 PROPERTY OWNERS; AND  
16 DONALD J. GRISCHOTT, OPERATOR  
17 d/b/a GRISCHOTT'S TIRE a/k/a  
18 GRISCHOTT BROS a/k/a GRISCHOTT'S  
19 TIRE AND SERVICE.  
20

21 TPID NO: 1108166-01

22 ASSESSOR PARCEL NUMBERS:

23 016-021-001 and 016-021-030

24  
25 RESPONDENTS.

ADMINISTRATIVE DECISION FOR  
WASTE TIRE STORAGE PENALTIES  
Agency No: 2007-010953

26  
27 PROCEDURAL HISTORY

28 The California Integrated Waste Management Board ("CIWMB") served an  
Administrative Complaint and Request for Hearing form on DONALD J. GRISCHOTT,

1 FLOREN C. GRISCHOTT, AND MARILYN F. GRISCHOTT, PROPERTY OWNERS;  
2 AND DONALD J. GRISCHOTT, OPERATOR d/b/a GRISCHOTT'S TIRE a/k/a  
3 GRISCHOTT BROS a/k/a GRISCHOTT'S TIRE AND SERVICE (hereinafter  
4 "RESPONDENTS"). MARILYN F. GRISCHOTT was served on September 11, 2007  
5 FLOREN C. GRISCHOTT was served on September 18, 2007. RESPONDENTS  
6 MARILYN F. AND FLOREN C. GRISCHOTT requested a hearing on September 18,  
7 2007. On October 29, 2007 hearing was scheduled for 9:00 a.m. at the Sacramento  
8 Office of Administrative Hearings. In lieu of the uncertainties of litigation, MARILYN F.  
9 and FLOREN C. GRISCHOTT and the CIWMB decided to resolve this action via a  
10 Stipulation, and the hearing was taken off calendar. RESPONDENT DONALD J.  
11 GRISCHOTT. DONALD GRISCHOTT failed to request a hearing, and a default  
12 decision was issued on October 26, 2007.

#### 13 **STIPULATED FACTUAL FINDINGS**

14 1. The CIWMB has authority to inspect, permit, regulate and conduct  
15 enforcement actions against Waste Tire Facilities (WTF) within the State of California  
16 under PRC section 42800, et seq., and attendant regulations contained in Title 14 of the  
17 California Code of Regulations (CCR).

18 2. RESPONDENTS were operating an unpermitted, minor Waste Tire  
19 Facility (WTF) as defined in Public Resource Code (PRC) section 42808 that is located  
20 at 8511 Hwy 33, Patterson, CA 95363, and Assessor Parcel Numbers (APN) (016-021-  
21 001 and 016-021-030).

22 3. On January 8, 2007, Mr. Phil Irons, a waste tire inspector (hereinafter  
23 "inspector") with Stanislaus County, issued a Notice of Violation to DONALD  
24 GRISCHOTT for failing to obtain a minor waste tire facility permit when storing over 500  
25 waste tires.

26 4. On March 8, 2007, and April 9, 2007, the inspector reinspected the subject  
27 waste tire facility, and determined 1,729 waste tires were stored on the facility. No  
28 waste tire facility permit had been obtained for this purpose.



