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9 BEFORE THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD  
10 STATE OF CALIFORNIA

11 In the Matter of:

12 STERLING P. HOLLOWAY III,  
13 INDIVIDUALLY; STERLING P.  
14 HOLLOWAY III INC.  
15 TPID NO: 1477601-01  
16  
17 RESPONDENTS.

ADMINISTRATIVE DECISION FOR  
WASTE TIRE HAULER  
ADMINISTRATIVE PENALTIES  
AGENCY NO. 2007-010964-ADC  
OAH NO. 2007050210

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19 The California Integrated Waste Management Board ("CIWMB") served an  
20 Administrative Complaint and Request for Hearing form on STERLING P. HOLLOWAY  
21 III, INDIVIDUALLY; STERLING P. HOLLOWAY III INC. ("RESPONDENTS"), on  
22 April 21, 2007. RESPONDENTS requested a hearing and the case was calendared for  
23 July 25, 2007. To avoid the uncertainties of litigation, RESPONDENTS negotiated a  
24 Stipulation for Issuance of Administrative Decision ("Stipulation") with the CIWMB to  
25 resolve the issues in the Administrative Complaint. The Board Members of the CIWMB  
26 hereby adopt the Stipulation. Pursuant to the Stipulation, and good cause appearing  
27 therefore, the following Stipulated Factual Findings and Conclusions of Law are made,  
28 and the following Stipulated Order is issued:



1 **STIPULATED LEGAL CONCLUSIONS**

2 8. RESPONDENT is in violation of PRC section 42951 for hauling more than  
3 9 (nine) used and waste tires without a CIWMB used and waste tire registration.

4 9. The CIWMB's authority to assess administrative penalties against  
5 RESPONDENT as a waste tire hauler is set forth in PRC section 42962 and in Title 14  
6 of the California Code of Regulations section 18464.

7 10. Pursuant to 14 California Code of Regulations section 18464, the waste  
8 and used tire hauler penalty tables, the negotiated penalty of \$4,000.00, with \$3,000.00  
9 held in abeyance for two (2) years, is within CIWMB's discretion.

10 **ORDER**

11 The CIWMB approves of the terms of the Stipulation and the following order is  
12 hereby made:

13 STERLING P. HOLLOWAY III, INDIVIDUALLY; STERLING P. HOLLOWAY III  
14 INC. are ordered to pay an administrative penalty of \$1,000.00 (one thousand dollars) to  
15 the CIWMB according to the terms of the Stipulation.

16  
17 This DECISION shall become effective August 22, 2007.

18  
19 Dated this 22nd day of August, 2007.

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21   
22 MARGO REID BROWN  
23 Chair  
24 CALIFORNIA INTEGRATED WASTE  
25 MANAGEMENT BOARD  
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