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8 STATE OF CALIFORNIA

9 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

10 In the matter of:

11 ALLIED WASTE SYSTEMS, INC., a
12 Delaware Corporation, d.b.a. ALLIED
13 WASTE SERVICES of SAN DIEGO;
14 A WASTE AND USED TIRE HAULER
15 TPID NO: 1006739-01
16
17 RESPONDENT.

ADMINISTRATIVE DECISION FOR
WASTE TIRE HAULER PENALTIES

AGENCY No: 2007-010989-ADC

18
19 INTRODUCTION

20 Pursuant to Public Resources Code (PRC) section 42950 et seq., on January 28,
21 2008, the California Integrated Waste Management Board ("CIWMB") served an
22 Administrative Complaint on ALLIED WASTE SYSTEMS, INC., a Delaware Corporation,
23 d.b.a. ALLIED WASTE SERVICES of SAN DIEGO ("RESPONDENT"), RESPONDENT
24 requested a hearing on March 4, 2008. A hearing was scheduled for May 29, 2008 in San
25 Diego, California. In order to avoid the costs and uncertainties of litigation, the CIWMB and
26 RESPONDENT negotiated a May 27, 2008, Stipulation For Issuance of Administrative
27 Decision For Waste Tire Hauler Penalties (Stipulation) with the CIWMB to resolve the
28 issues in the Administrative Complaint. Pursuant to the Stipulation, and good cause

1 CIWMB if there were any questions about manifest preparation. RESPONDENT did not
2 contact CIWMB in response to this CD mailing, requesting any additional information or
3 training.

4 7. An examination of RESPONDENT'S manifest records by CIWMB staff
5 revealed that 24% of RESPONDENT'S manifests for the month of July 2007 had one or
6 more errors or omissions as to one of the requested categories of information on the
7 manifest.

8 **STIPULATED LEGAL CONCLUSIONS**

9 8. The CIWMB has authority to regulate and conduct enforcement actions
10 regarding Waste Tire Haulers within the State of California under Public Resources Code
11 sections 42950 et seq. and attendant regulations contained in Title 14 of the California
12 Code of Regulations ("CCR").

13 9. RESPONDENT is in violation of PRC section 42961.5 and 14 CCR section
14 18460.2.

15 10. The negotiated penalty of \$4,800 (Four Thousand Eight Hundred Dollars),
16 where \$1,800 (One Thousand Eight Hundred Dollars) of the penalty is held in abeyance for
17 two years subject to the terms of the Stipulation, is within CIWMB's discretion pursuant to
18 Public Resources Code section 42962.

19 **ORDER**

20 The CIWMB approves of, and adopts the terms of the Stipulation, and the following order is
21 hereby made:

22 11. Pay an administrative penalty of \$3,000 (Three Thousand Dollars) in
23 accordance with the terms of the stipulation.

24 12. For the two year time period subsequent to the issuance of this Decision,
25 comply with all California Waste and Used Tire Manifest requirements, as provided in PRC
26 section 42961.5 and maintain a manifest error rate of not greater than 7% (seven percent)
27 errors and omissions, where at most one error or omission is counted per manifest, in any
28 one three month period (quarterly).

1 13. Participate in manifest training as described in the Stipulation within thirty (30)
2 days of the issuance of this Decision.

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4 The effective date of this Decision is 6-17-08.

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7 Dated: 6/17/08



MARGO REID BROWN
Chair
California Integrated Waste Management Board

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