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8 STATE OF CALIFORNIA

9 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

10 In the Matter of:

11 BOB AND LOU HULL, DECEASED, PROPERTY
12 OWNERS; AND JOHN HULL aka
13 JOHNNY FRANKLIN HULL, dba BOB AND LOU
AND SONS TIRES, OPERATOR

14 TPID NO: 1103126

15 ASSESSOR PARCEL NO: 186-130-09-00

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17 RESPONDENTS
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ADMINISTRATIVE DECISION FOR
WASTE TIRE FACILITY PENALTIES

Agency No: 2006-010947-ADC

20 INTRODUCTION

21 Pursuant to Public Resources Code (PRC) section 42850(b), the California
22 Integrated Waste Management Board ("CIWMB") served an Administrative Complaint
23 on BOB AND LOU HULL, DECEASED, PROPERTY OWNERS; AND JOHN HULL aka
24 JOHNNY FRANKLIN HULL, dba BOB AND LOU AND SONS TIRES, OPERATOR
25 ("RESPONDENTS"), on September 29, 2007. RESPONDENTS requested a hearing in
26 a timely manner. To avoid the cost and uncertainty of litigation, RESPONDENTS and
27 CIWMB staff negotiated a March 14, 2008, Stipulation For Issuance of Administrative
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1 Decision For Waste Tire Facility Penalties (Stipulation) with the CIWMB to resolve the
2 issues in the Administrative Complaint. Pursuant to the Stipulation, and good cause
3 appearing therefore, the following Stipulated Factual Findings and Conclusions of Law
4 are made, and the following Stipulated Order is issued.
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6 **STIPULATED FACTUAL FINDINGS**

7 1. The Administrative Complaint was executed by WENDY BRECKON,
8 Senior Staff Counsel, CIWMB, acting in her official capacity.

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

13 3. RESPONDENTS are responsible for allowing the waste tires to be stored
14 at 11200 Main Street, Lamont, CA 93241, Assessor's Parcel Number 186-130-09-00.
15 This site is an unpermitted minor waste tire facility pursuant to PRC section 42808.

16 4. On April 27, 2004, The Kern County Waste Tire inspector (Grantee)
17 inspected this site and determined that more than 500 waste tires were being stored on
18 site.

19 5. The Grantee inspected this site on December 21, 2004 and determined
20 that more than 500 waste tires were still being stored on site.

21 6. The Grantee issued a Warning Letter of Violation to the Property
22 Owner/Operator on January 5, 2005 requiring the tires to be removed by
23 February 28, 2005.

24 7. The CIWMB inspected this site on May 23, 2005 and determined that
25 more than 500 waste tires were being stored on site.

26 8. The CIWMB and Grantee inspected this site on July 12, 2006 and
27 determined that more than 500 waste tires were still being stored on site; however, the
28 tire shop was closed.

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2 **ORDER**

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

5 16. Pay an administrative penalty of \$4,000.00 (Four Thousand Dollars) at
6 \$300.00 (Three Hundred Dollars) per month in accordance with the terms of the
7 Stipulation.

8 17. All waste tires shall be removed from the facility in accordance with the
9 terms of the Stipulation within 90 days from March 14, 2008, which is June 12, 2008.

10 18. All manifests and landfill receipts (or other end-use facility receipts) from
11 the cleanup must be submitted to Gerald Stryker, Supervisor, Tire Facilities South,
12 Compliance Evaluation and Enforcement Division, MS 10A-17, CIWMB, 1001 I Street,
13 Sacramento, CA 95814.

14 19. Any used tires which are proposed to be offered for sale are to be "racked
15 and stacked" in accordance with all regulations, and the terms of the Stipulation.

16 The effective date of this Decision is April 22, 2008

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19 Dated: 4/22/08

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21 MARGO REID BROWN
22 Chair
23 California Integrated Waste Management Board
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