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STATE OF CALIFORNIA

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

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| IN THE MATTER OF:<br><br>KNIGHT TRANSPORTATION, INC. d/b/a ARIZONA KNIGHT TRANSPORTATION, INC.<br>TPID NO: 1003543-01<br>RESPONDENT. | SUPPLEMENTAL ADMINISTRATIVE DECISION PURSUANT TO STIPULATION FOR ISSUANCE OF ADMINISTRATIVE DECISION FOR WASTE TIRE HAULER PENALTIES<br><br>AGENCY No. 2005-010928-ADC |

## INTRODUCTION

On June 1, 2006, The California Integrated Waste Management Board ("CIWMB") served an Amended Administrative Complaint and Request for Hearing form on Knight Transportation, Inc. d/b/a Arizona Knight Transportation, Inc. ("RESPONDENT"). A Stipulation was signed by both parties agreeing to hold Eight

Thousand ($8,000.00) in abeyance pending a default of the Stipulation, and to pay Six Thousand ($6,000.00). Respondent waived their right to a hearing.

On May 24, 2006, CIWMB issued a Decision adopting the Stipulation. CIWMB issued an Amended Administrative Decision on August 14, 2006.

Paragraph 15 of the Stipulation for Issuance of Administrative Decision provides as follows:

> If RESPONDENT defaults under the terms of this STIPULATION, then the CIWMB shall send RESPONDENT a letter by certified mail or personal service notifying them of the same. Said letter shall apprise RESPONDENT of the provision(s) of the STIPULATION of which it is in default, and will attach a copy of the Inspection Report or other report documenting the violation(s) in issue. RESPONDENT shall have ten (10) days from the receipt of the certified letter or personal service to correct the noticed violation. If the violation is corrected within the 10-day period then RESPONDENT will be deemed to not be in default of the STIPULATION. The parties understand there is no cure or ability to correct a violation of hauling waste or used tires as an unregistered hauler except to show proof that they were registered.

## FACTS RELATED TO DEFAULT OF STIPULATION

1. On April 8, 2008, a Notice of Default was sent to Kevin Knight, CEO of Knight Transportation, Inc., stating that KNIGHT TRANSPORTATION, d/b/a ARIZONA KNIGHT TRANSPORTATION, INC., were in default of the Stipulation because the hauler was hauling waste/used tires from Wal-Mart in Apple Valley, CA to Safranmark International in Apache Junction, AZ, during the time when the KNIGHT TRANSPORATION, INC., was not registered as a waste tire hauler.

2. On September 12, 2007, CIWMB issued a letter of exemption to KNIGHT TRANSPORTATION, INC., from the tire hauler requirements. Prior to the issuance of the 2007 Letter of Exemption, Respondent did not have a Letter of Exemption.

3. During the time of 2006 and 2007, when KNIGHT TRANSPORATION, INC., was hauling waste/used tires from Wal-Mart Stores in Apple Valley, California, to Safranmark International in Arizona, the hauler failed to complete the required manifest forms, provide a copy to the generator, and submit a copy to the CIWMB.

**ORDER BASED UPON DEFAULT OF STIPULATION**

Good cause appearing therefore, the following Order is hereby made: RESPONDENT, KNIGHT TRANSPORTATION, INC., d/b/a ARIZONA KNIGHT TRANSPORATION INC., shall pay a monetary penalty of Eight Thousand Dollars ($8,000.00) for the violations set forth in the Notice of Default.

This DECISION shall become effective May 6, 2008.

Dated this 6 day of May, 2008.

MARGO REID BROWN
Chair
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD