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8 STATE OF CALIFORNIA

9 DEPARTMENT OF RESOURCES RECYCLING & RECOVERY

10 In the matter of:

11 VICTOR GARCIA DBA GARCIA'S TIRE  
12 SHOP

13 TPID NO: 1005384-01

14 RESPONDENT.  
15

ADMINISTRATIVE DECISION FOR  
WASTE TIRE HAULER  
ADMINISTRATIVE PENALTIES

PUBLIC RESOURCES CODE SECTION  
42960

AGENCY NO: 2010-011111-ADC

16  
17 **INTRODUCTION**

18 The California Department of Resources Recycling and Recovery  
19 (CALRECYCLE) has authority to regulate and conduct enforcement actions regarding  
20 Waste Tire Haulers within the State of California under Public Resources Code(PRC)  
21 section 42962 et seq. and attendant regulations contained in Title 14 of the California  
22 Code of Regulations(CCR).

23 VICTOR GARCIA DBA GARCIA's TIRE SHOP (RESPONDENT) was served  
24 with the Administrative Complaint for Waste Tire Hauler Penalties (Complaint) in this  
25 matter on August 13, 2010.

26 To avoid the uncertainties of litigation, RESPONDENT negotiated a Stipulation  
27 for Issuance of Administrative Decision for Waste Tire Hauler Penalties (Stipulation) to  
28 resolve the issues contained in the Complaint.



1 2009, in violation of PRC section 42952(b).

CTL	Transaction Date	Pick up	Delivery	Passenger Tire Equivalents	Generator/End Use Facility
3498854-B	8/4/09	X		130	Mira Mesa Tire
3498854-C	8/11/09	X		125	Atoz Auto
3498862-A	1/15/09		X	6.84	Azuza Land Reclamation
3498862-B	8/13/09		X	6.80	Azuza Land Reclamation
3498862-C	8/18/09	X		79	4 Wheel Parts
3498897-A	5/28/09		X	7.63	Azuza Land Reclamation
3498897-B	6/2/09		X	7.15	Azuza Land Reclamation
3498897-C	8/4/09	X		117	Atoz Auto
3731315-A	12/18/09	X		120	Rubber Recovery
3731315-B	12/21/09		X	8.77	Azuza Land Reclamation
3830147-A	8/18/09	X		14	Rubber Recovery
3830147-B	8/25/09		X	4.44	Azuza Land Reclamation
3830147-C	9/25/09	X		46	Rubber Recovery
3830150-A	10/08/09		X	11.21	Azuza Land Reclamation
3830150-B	10/09/09	X		669	Duran's Tire Recycling
3830150-C	10/12/09	X		185	Mira Mesa Tire
3830152-A	8/13/09	X		50	Rubber Recovery
3830152-B	8/--/09		X	102	Atoz Auto
3830152-C	8/27/09	?	?	158	Mira Mesa Tire

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1 **STIPULATED LEGAL CONCLUSIONS**

2 9. On at least 19 separate occasions between January 15, 2009, and  
3 December 31, 2009, RESPONDENT knowingly violated PRC section 42952(b) by  
4 representing itself as being in the business of a waste and used tire hauler without  
5 being registered as a waste and used tire hauler by CALRECYCLE.

6 10. CALRECYCLE's authority to assess administrative penalties against  
7 RESPONDENT as a waste tire hauler is set forth in PRC Section 42962(c), and 14  
8 CCR section 18464.

9 **ORDER**

10 CALRECYCLE approves of, and adopts, the terms of the Stipulation, and the  
11 following Order is hereby made:

12 VICTOR GARCIA dba GARCIA'S TIRE SHOP is ordered to pay nineteen  
13 thousand dollars (\$19,000.00) to CALRECYCLE according to the terms of the  
14 Stipulation.

15  
16 Dated: 3/3/2011



17 TED RAUF  
18 Deputy Director  
19 CALIFORNIA DEPARTMENT OF  
20 RESOURCES RECYCLING AND  
21 RECOVERY  
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