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8
9 STATE OF CALIFORNIA

10 CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

11 In the matter of:

12 RUBBER RECOVERY, INC.

13 TPID NO: 1620515

14
15 RESPONDENT.

ADMINISTRATIVE COMPLAINT
FOR WASTE TIRE HAULER
ADMINISTRATIVE PENALTIES,
PUBLIC RESOURCES CODE
SECTION 42950, ET SEQ

16 AGENCY No: 2011-011125-ADC
17

18 **INTRODUCTION**

19 This Administrative Complaint for Waste Tire Hauler Penalties is issued by the
20 Department of Resources Recycling and Recovery to RUBBER RECOVERY, INC.,
21 (RESPONDENT) seeking one hundred thirty four thousand dollars (\$134,000.00). The
22 California Integrated Waste Management Board (CIWMB) is now the Department of
23 Resources Recycling and Recovery (CALRECYCLE). CALRECYCLE succeeded to CIWMB's
24 authority on January 1, 2010, pursuant to Public Resources Code (PRC) section 40401(a)(1).
25 PRC section 42850(b) authorizes CALRECYCLE to issue a complaint to any person that may
26 be administratively liable. This complaint is so issued based on the following facts.

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2 **STATEMENT OF FACTS**

3 1. CALRECYCLE has authority to regulate and conduct enforcement actions
4 regarding Waste and Used Tire Haulers (hauler) within the State of California under PRC
5 section 42950 et seq. and attendant regulations contained in Title 14 of the California Code of
6 Regulations (CCR).

7 2. RESPONDENT has been registered to haul waste and used tires in California by
8 CALRECYCLE since 2007. A copy of California's waste tire hauler laws and regulations were
9 provided to RESPONDENT each year along with its renewed Waste and Used Tire Hauler
10 Registration.

11 3. PRC sections 42808, 42823, 42824 and 42834, prohibit a person from storing,
12 stockpiling, accumulating, or discarding more than 499 waste tires at a site without first
13 obtaining either a Minor Waste Tire Facility Permit or a Major Waste Tire Facility Permit.

14 4. During the time period from June 9, 2010, through February 28, 2011,
15 RESPONDENT was never in possession of either a Major or a Minor Waste Tire Facility
16 Permit for the site located at 10672-B Calabash Avenue, Fontana, California (the site) and
17 operated by RESPONDENT.

18 5. During an inspection of the site on June 9, 2010, by Vance Tracy, Integrated
19 Waste Management Specialist for CALRECYCLE, and documented in Waste Tire Survey and
20 Inspection Report (Inspection Report) number I1-1134626, Mr. Tracy observed 6,505 waste
21 tires onsite, thereby creating an unpermitted major Waste Tire Facility (WTF). Mr. Tracy found
22 that RESPONDENT had hauled the waste tires to the unpermitted WTF, in violation of PRC
23 section 42951(b). Mr. Tracy advised RESPONDENT that RESPONDENT was in violation of
24 PRC section 42951(b) and provided RESPONDENT with copies of California's waste tire
25 hauler laws and regulations.

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27 6. On July 12, 2010, Cathy Blair, Integrated Waste Management Specialist for
28 CALRECYCLE, sent correspondence to RESPONDENT regarding "Contracting And/Or

1 Arranging The Transportation Of Used Or Waste Tires With A Person Not Holding A Valid Tire
2 Hauler Registration.” In said correspondence Ms. Blair advised RESPONDENT that
3 CALRECYCLE had found that RESPONDENT had allowed 20 tons of waste tires to be picked
4 up from the site by an unregistered hauler, in violation of PRC section 42953. Ms. Blair’s
5 correspondence further advised RESPONDENT that its continued used of an unregistered
6 hauler might result in further enforcement action by CALRECYCLE.
7

8 7. During an inspection on March 22, 2011, of the site by CALRECYCLE staff
9 members Cathy Blair, Frank Simpson, Vance Tracy, Harley Thompson, Michael Payan and
10 Marta Kravech, and documented in inspection report number I1-1175823, Ms. Blair observed a
11 trailer chassis with a shipping container full of tire shreds in the parking lot onsite; attached to
12 the trailer Ms. Blair discovered a bill of lading for Visa Transportation, Inc., to deliver the tire
13 shreds on behalf of RESPONDENT, in violation of PRC section 42953. Visa Transportation is
14 not a registered or exempted hauler.

15 8. During the same inspection on March 22, 2011, Ms. Blair observed that
16 RESPONDENT had accumulated 35,875 waste tires on site, and thereby created an
17 unpermitted WTF in violation of PRC section 42824.

18 9. During the same inspection on March 22, 2011, Ms. Blair asked to review
19 RESPONDENT’S Comprehensive Trip Log receipts (CTLs) documenting loads of waste tires
20 to or from the site. Ms. Blair was advised to return the following day to review the CTLs.
21

22 10. During the follow-up inspection on March 23, 2011, by Cathy Blair, Frank
23 Simpson, Vance Tracy, Harley Thompson, Michael Payan and Marta Kravech, and also
24 documented in Inspection Report number I1-1175823, Ms. Blair reviewed CTLs presented by
25 RESPONDENT. The CTLs documented 134 separate occasions between September 1, 2010,
26 and February 8, 2011, that RESPONDENT hauled tires to the unpermitted WTF created by
27 RESPONDENT on the site, in violation of PRC section 42951(b).

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1 11. On March 30, 2011, Ms. Blair conducted an audit of the CTL's submitted by
 2 RESPONDENT to CALRECYCLE for dates between September 1, 2010, and February 28,
 3 2011, by RESPONDENT. The audit revealed that on at least 133 separate occasions
 4 RESPONDENT transported more than 500 waste tires to the site, in violation of PRC section
 5 42951(b). Said shipments are listed in the following table:
 6

7 Comprehensive Trip Log	8 Load Date	9 Hauler TPID	10 Hauler Name	11 Delivery PTE	12 Facility TPID	13 Facility Name
14 4089363-B	15 09/01/2010	16 1620515	17 Rubber Recovery, Inc.	18 1469	19 1620515	20 Rubber Recovery, Inc.
21 4132203-B	22 09/01/2010	23 1620515	24 Rubber Recovery, Inc.	25 1015	26 1620515	27 Rubber Recovery, Inc.
28 4089644-B	09/02/2010	1620515	Rubber Recovery, Inc.	1517	1620515	Rubber Recovery, Inc.
4089643-B	09/03/2010	1620515	Rubber Recovery, Inc.	1707	1620515	Rubber Recovery, Inc.
3731198-B	09/03/2010	1620515	Rubber Recovery, Inc.	841	1620515	Rubber Recovery, Inc.
3716710-B	09/07/2010	1620515	Rubber Recovery, Inc.	1705	1620515	Rubber Recovery, Inc.
4132207-B	09/08/2010	1620515	Rubber Recovery, Inc.	800	1620515	Rubber Recovery, Inc.
4089642-B	09/09/2010	1620515	Rubber Recovery, Inc.	1834	1620515	Rubber Recovery, Inc.
4132210-B	09/09/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4089641-B	09/10/2010	1620515	Rubber Recovery, Inc.	1564	1620515	Rubber Recovery, Inc.
4089638-B	09/10/2010	1620515	Rubber Recovery, Inc.	1521	1620515	Rubber Recovery, Inc.
4089632-B	09/13/2010	1620515	Rubber Recovery, Inc.	1592	1620515	Rubber Recovery, Inc.
4089631-B	09/14/2010	1620515	Rubber Recovery, Inc.	1547	1620515	Rubber Recovery, Inc.
4089630-B	09/15/2010	1620515	Rubber Recovery, Inc.	1672	1620515	Rubber Recovery, Inc.
4089627-B	09/17/2010	1620515	Rubber Recovery, Inc.	1585	1620515	Rubber Recovery, Inc.
4089330-B	09/21/2010	1620515	Rubber Recovery, Inc.	613	1620515	Rubber Recovery, Inc.
4089637-B	09/22/2010	1620515	Rubber Recovery, Inc.	1830	1620515	Rubber Recovery, Inc.
4089628-B	09/24/2010	1620515	Rubber Recovery, Inc.	1602	1620515	Rubber Recovery, Inc.
4089626-B	09/27/2010	1620515	Rubber Recovery, Inc.	1698	1620515	Rubber Recovery, Inc.
4132231-B	09/28/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
3716709-B	09/29/2010	1620515	Rubber Recovery, Inc.	2010	1620515	Rubber Recovery, Inc.

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4089629-B	09/29/2010	1620515	Rubber Recovery, Inc.	1626	1620515	Rubber Recovery, Inc.
4089625-B	09/30/2010	1620515	Rubber Recovery, Inc.	1693	1620515	Rubber Recovery, Inc.
4089624-B	09/30/2010	1620515	Rubber Recovery, Inc.	1581	1620515	Rubber Recovery, Inc.
4089365-B	10/01/2010	1620515	Rubber Recovery, Inc.	1709	1620515	Rubber Recovery, Inc.
4089364-B	10/01/2010	1620515	Rubber Recovery, Inc.	1637	1620515	Rubber Recovery, Inc.
4089366-B	10/04/2010	1620515	Rubber Recovery, Inc.	1570	1620515	Rubber Recovery, Inc.
4089623-B	10/05/2010	1620515	Rubber Recovery, Inc.	1567	1620515	Rubber Recovery, Inc.
4089619-B	10/07/2010	1620515	Rubber Recovery, Inc.	1647	1620515	Rubber Recovery, Inc.
4089620-B	10/07/2010	1620515	Rubber Recovery, Inc.	1610	1620515	Rubber Recovery, Inc.
4089622-B	10/08/2010	1620515	Rubber Recovery, Inc.	1736	1620515	Rubber Recovery, Inc.
4132245-B	10/08/2010	1620515	Rubber Recovery, Inc.	800	1620515	Rubber Recovery, Inc.
4089613-B	10/11/2010	1620515	Rubber Recovery, Inc.	1196	1620515	Rubber Recovery, Inc.
4132247-B	10/11/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4089617-B	10/13/2010	1620515	Rubber Recovery, Inc.	1650	1620515	Rubber Recovery, Inc.
4089612-B	10/13/2010	1620515	Rubber Recovery, Inc.	1504	1620515	Rubber Recovery, Inc.
4132252-B	10/15/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4089621-B	10/18/2010	1620515	Rubber Recovery, Inc.	1595	1620515	Rubber Recovery, Inc.
4132259-B	10/20/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132260-B	10/22/2010	1620515	Rubber Recovery, Inc.	800	1620515	Rubber Recovery, Inc.
4089610-B	10/25/2010	1620515	Rubber Recovery, Inc.	1534	1620515	Rubber Recovery, Inc.
4089609-B	10/25/2010	1620515	Rubber Recovery, Inc.	1503	1620515	Rubber Recovery, Inc.
4089607-B	10/26/2010	1620515	Rubber Recovery, Inc.	1514	1620515	Rubber Recovery, Inc.
4089615-B	10/26/2010	1620515	Rubber Recovery, Inc.	1513	1620515	Rubber Recovery, Inc.
4089611-B	10/26/2010	1620515	Rubber Recovery, Inc.	1506	1620515	Rubber Recovery, Inc.
4089606-B	10/27/2010	1620515	Rubber Recovery, Inc.	1602	1620515	Rubber Recovery, Inc.
4132199-B	10/28/2010	1620515	Rubber Recovery, Inc.	1670	1620515	Rubber Recovery, Inc.
4135356-B	10/28/2010	1620515	Rubber Recovery, Inc.	1341	1620515	Rubber Recovery, Inc.

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4132198-B	10/29/2010	1620515	Rubber Recovery, Inc.	1552	1620515	Rubber Recovery, Inc.
4132197-B	11/01/2010	1620515	Rubber Recovery, Inc.	1588	1620515	Rubber Recovery, Inc.
4132196-B	11/02/2010	1620515	Rubber Recovery, Inc.	1687	1620515	Rubber Recovery, Inc.
4132192-B	11/02/2010	1620515	Rubber Recovery, Inc.	1329	1620515	Rubber Recovery, Inc.
4132191-B	11/03/2010	1620515	Rubber Recovery, Inc.	1626	1620515	Rubber Recovery, Inc.
4132275-B	11/03/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132193-B	11/04/2010	1620515	Rubber Recovery, Inc.	1575	1620515	Rubber Recovery, Inc.
4132195-B	11/04/2010	1620515	Rubber Recovery, Inc.	1530	1620515	Rubber Recovery, Inc.
4132194-B	11/05/2010	1620515	Rubber Recovery, Inc.	1850	1620515	Rubber Recovery, Inc.
4132187-B	11/08/2010	1620515	Rubber Recovery, Inc.	1732	1620515	Rubber Recovery, Inc.
4132190-B	11/08/2010	1620515	Rubber Recovery, Inc.	1574	1620515	Rubber Recovery, Inc.
4132189-B	11/10/2010	1620515	Rubber Recovery, Inc.	1736	1620515	Rubber Recovery, Inc.
4132185-B	11/11/2010	1620515	Rubber Recovery, Inc.	1448	1620515	Rubber Recovery, Inc.
4132184-B	11/12/2010	1620515	Rubber Recovery, Inc.	1209	1620515	Rubber Recovery, Inc.
4089993-B	11/12/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132183-B	11/15/2010	1620515	Rubber Recovery, Inc.	1059	1620515	Rubber Recovery, Inc.
4132182-B	11/16/2010	1620515	Rubber Recovery, Inc.	1666	1620515	Rubber Recovery, Inc.
4132181-B	11/17/2010	1620515	Rubber Recovery, Inc.	1756	1620515	Rubber Recovery, Inc.
4132176-B	11/18/2010	1620515	Rubber Recovery, Inc.	1994	1620515	Rubber Recovery, Inc.
4089982-B	11/18/2010	1620515	Rubber Recovery, Inc.	1211	1620515	Rubber Recovery, Inc.
4132177-B	11/19/2010	1620515	Rubber Recovery, Inc.	1643	1620515	Rubber Recovery, Inc.
4132179-B	11/23/2010	1620515	Rubber Recovery, Inc.	1731	1620515	Rubber Recovery, Inc.
4132180-B	11/24/2010	1620515	Rubber Recovery, Inc.	1669	1620515	Rubber Recovery, Inc.
4132178-B	11/29/2010	1620515	Rubber Recovery, Inc.	1837	1620515	Rubber Recovery, Inc.
4132175-B	11/29/2010	1620515	Rubber Recovery, Inc.	1705	1620515	Rubber Recovery, Inc.
4089968-B	11/29/2010	1620515	Rubber Recovery, Inc.	698	1620515	Rubber Recovery, Inc.
4089967-B	11/30/2010	1620515	Rubber Recovery, Inc.	800	1620515	Rubber Recovery, Inc.

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4132173-B	12/01/2010	1620515	Rubber Recovery, Inc.	1990	1620515	Rubber Recovery, Inc.
4132172-B	12/01/2010	1620515	Rubber Recovery, Inc.	1662	1620515	Rubber Recovery, Inc.
4089962-B	12/01/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132171-B	12/02/2010	1620515	Rubber Recovery, Inc.	1849	1620515	Rubber Recovery, Inc.
4089959-B	12/02/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132170-B	12/03/2010	1620515	Rubber Recovery, Inc.	1675	1620515	Rubber Recovery, Inc.
4132169-B	12/03/2010	1620515	Rubber Recovery, Inc.	1597	1620515	Rubber Recovery, Inc.
4132168-B	12/07/2010	1620515	Rubber Recovery, Inc.	1642	1620515	Rubber Recovery, Inc.
4132167-B	12/08/2010	1620515	Rubber Recovery, Inc.	1487	1620515	Rubber Recovery, Inc.
4089955-B	12/09/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132166-B	12/10/2010	1620515	Rubber Recovery, Inc.	1832	1620515	Rubber Recovery, Inc.
4132174-B	12/13/2010	1620515	Rubber Recovery, Inc.	1821	1620515	Rubber Recovery, Inc.
4132165-B	12/14/2010	1620515	Rubber Recovery, Inc.	1244	1620515	Rubber Recovery, Inc.
4132162-B	12/15/2010	1620515	Rubber Recovery, Inc.	1637	1620515	Rubber Recovery, Inc.
4132155-B	12/16/2010	1620515	Rubber Recovery, Inc.	1451	1620515	Rubber Recovery, Inc.
4132161-B	12/17/2010	1620515	Rubber Recovery, Inc.	1280	1620515	Rubber Recovery, Inc.
4132160-B	12/20/2010	1620515	Rubber Recovery, Inc.	2007	1620515	Rubber Recovery, Inc.
4132159-B	12/21/2010	1620515	Rubber Recovery, Inc.	1625	1620515	Rubber Recovery, Inc.
4132158-B	12/23/2010	1620515	Rubber Recovery, Inc.	1773	1620515	Rubber Recovery, Inc.
4089899-B	12/27/2010	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132157-B	01/04/2011	1620515	Rubber Recovery, Inc.	1620	1620515	Rubber Recovery, Inc.
4132154-B	01/05/2011	1620515	Rubber Recovery, Inc.	1805	1620515	Rubber Recovery, Inc.
4132164-B	01/06/2011	1620515	Rubber Recovery, Inc.	2076	1620515	Rubber Recovery, Inc.
4132153-B	01/07/2011	1620515	Rubber Recovery, Inc.	1331	1620515	Rubber Recovery, Inc.
4132163-B	01/10/2011	1620515	Rubber Recovery, Inc.	1731	1620515	Rubber Recovery, Inc.
4089897-B	01/10/2011	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132149-B	01/11/2011	1620515	Rubber Recovery, Inc.	1664	1620515	Rubber Recovery, Inc.

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4132145-B	01/12/2011	1620515	Rubber Recovery, Inc.	1674	1620515	Rubber Recovery, Inc.
4089895-B	01/12/2011	1620515	Rubber Recovery, Inc.	800	1620515	Rubber Recovery, Inc.
4089893-B	01/13/2011	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132142-B	01/14/2011	1620515	Rubber Recovery, Inc.	1580	1620515	Rubber Recovery, Inc.
4089891-B	01/14/2011	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132148-B	01/17/2011	1620515	Rubber Recovery, Inc.	1845	1620515	Rubber Recovery, Inc.
4089889-B	01/17/2011	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132144-B	01/19/2011	1620515	Rubber Recovery, Inc.	1614	1620515	Rubber Recovery, Inc.
4132147-B	01/20/2011	1620515	Rubber Recovery, Inc.	1632	1620515	Rubber Recovery, Inc.
4132146-B	01/21/2011	1620515	Rubber Recovery, Inc.	1854	1620515	Rubber Recovery, Inc.
4132150-B	01/24/2011	1620515	Rubber Recovery, Inc.	2031	1620515	Rubber Recovery, Inc.
4132151-B	01/25/2011	1620515	Rubber Recovery, Inc.	1556	1620515	Rubber Recovery, Inc.
4132152-B	01/27/2011	1620515	Rubber Recovery, Inc.	1804	1620515	Rubber Recovery, Inc.
4132134-B	01/28/2011	1620515	Rubber Recovery, Inc.	1565	1620515	Rubber Recovery, Inc.
4132143-B	02/01/2011	1620515	Rubber Recovery, Inc.	1394	1620515	Rubber Recovery, Inc.
4132132-B	02/02/2011	1620515	Rubber Recovery, Inc.	1361	1620515	Rubber Recovery, Inc.
4132133-B	02/02/2011	1620515	Rubber Recovery, Inc.	1177	1620515	Rubber Recovery, Inc.
4089882-B	02/02/2011	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132141-B	02/03/2011	1620515	Rubber Recovery, Inc.	1775	1620515	Rubber Recovery, Inc.
4132140-B	02/08/2011	1620515	Rubber Recovery, Inc.	1755	1620515	Rubber Recovery, Inc.
4132131-B	02/09/2011	1620515	Rubber Recovery, Inc.	1495	1620515	Rubber Recovery, Inc.
4132139-B	02/11/2011	1620515	Rubber Recovery, Inc.	1541	1620515	Rubber Recovery, Inc.
4132138-B	02/14/2011	1620515	Rubber Recovery, Inc.	1686	1620515	Rubber Recovery, Inc.
4132136-B	02/15/2011	1620515	Rubber Recovery, Inc.	1600	1620515	Rubber Recovery, Inc.
4132135-B	02/16/2011	1620515	Rubber Recovery, Inc.	1440	1620515	Rubber Recovery, Inc.
4089878-B	02/17/2011	1620515	Rubber Recovery, Inc.	500	1620515	Rubber Recovery, Inc.
4132130-B	02/18/2011	1620515	Rubber Recovery, Inc.	1686	1620515	Rubber Recovery, Inc.

4132118-B	02/21/2011	1620515	Rubber Recovery, Inc.	1338	1620515	Rubber Recovery, Inc.
4132137-B	02/22/2011	1620515	Rubber Recovery, Inc.	1549	1620515	Rubber Recovery, Inc.
4132103-B	02/24/2011	1620515	Rubber Recovery, Inc.	1700	1620515	Rubber Recovery, Inc.
4132101-B	02/25/2011	1620515	Rubber Recovery, Inc.	1523	1620515	Rubber Recovery, Inc.

ALLEGATIONS OF SPECIFIC VIOLATIONS

12. On at least one hundred thirty three (133) separate occasions, RESPONDENT violated PRC 42951 (b) by transporting waste tires to a facility that was not permitted, excluded, exempted, or otherwise authorized by the (Department), by statute, or by regulation, to accept waste and used tires, or to a facility that lawfully accepts waste or used tires for reuse or disposal.

13. On at least one (1) occasion RESPONDENT violated PRC section 42953 by giving, contracting, or arranging with a person who did not hold a valid waste and used tire hauler registration from the (Department) or who was otherwise exempt from requiring such a registration, to transport waste or used tires.

PENALTIES

14. CALRECYCLE's authority to assess administrative penalties against RESPONDENT as a waste tire hauler is set forth in PRC section 42962(c), which states:

In addition to the civil penalty which may be imposed pursuant to subdivision (a), the board may impose civil penalties administratively in an amount not to exceed five thousand dollars (\$5,000) for each violation of a separate provision or for continuing violations for each day that violation continues, on any person who intentionally or negligently violates any permit, rule, regulation, standard, or requirement issued adopted pursuant to this chapter. . . .

1 you must complete and return the enclosed REQUEST FOR HEARING to our Legal
2 Office within 15 days of receipt of this notice. Failure to complete and return the
3 REQUEST FOR HEARING within 15 days will be deemed a waiver of your rights to a
4 hearing.

5 Pursuant to the above referenced Public Resources Code and Government Code
6 sections, discovery requests by any party must be made within thirty days after the service of
7 this Administrative Complaint for Waste Tire Hauler Administrative Penalties.

8 Dated this 20 day of July, 2011.

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11 HEATHER L. HUNT
12 Staff Counsel III
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STATE OF CALIFORNIA

CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING & RECOVERY

In the matter of:

RUBBER RECOVERY, INC.

TPID NO: 1620515

RESPONDENT

REQUEST FOR A HEARING

AGENCY No: 2011-011125-ADC

I, _____, in the above-entitled proceeding, acknowledge receipt of a copy of the ADMINISTRATIVE COMPLAINT FOR WASTE TIRE HAULER ADMINISTRATIVE PENALTIES.

I hereby request a hearing to permit me to present my defense to the charges contained in said ADMINISTRATIVE COMPLAINT FOR WASTE TIRE HAULER ADMINISTRATIVE PENALTIES.

All correspondence concerning this proceeding should be sent to the following address:

(If you are represented by an attorney, all correspondence concerning this matter will be sent to the attorney.)

Address: _____ Telephone: _____

City: _____ State: _____ Zip Code: _____

Signature: _____

Date: _____

Please send to:

CalRecycle Legal Office

Attention: Gloria Bell

P.O. Box 4025, MS 24-B

Sacramento, CA 95812-4125



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

801 K STREET, MS 19-01, SACRAMENTO, CALIFORNIA 95814 • (916) 322-4027 • WWW.CALRECYCLE.CA.GOV

RIGHT TO A HEARING

Your are hereby notified that pursuant to the provisions of Section 42960 of the California Public Resources Code that you are entitled to a hearing to refute the allegations against you contained in the ADMINISTRATIVE COMPLAINT FOR WASTE TIRE HAULER ADMINISTRATIVE PENALTIES. **If you wish to have a hearing on this matter, you must complete and return the enclosed REQUEST FOR HEARING to our Legal Office within 15 days of receipt of this notice. Failure to complete and return the REQUEST FOR HEARING within 15 days will be deemed a waiver of your right to a hearing.**

HEARING PROCEDURES

If you request one, a hearing will be conducted before an Administrative Law Judge of the Office of Administrative Hearings of the Department of General Services, at one of their office locations throughout the State, upon the charges made in the ADMINISTRATIVE COMPLAINT FOR WASTE TIRE HAULER ADMINISTRATIVE PENALTIES.

1. You may be present at the hearing.
2. You have the right to be represented by an attorney at your own expense.

You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel.



3. You may present any relevant evidence, and will be given full opportunity to cross-examine all witnesses testifying against you.
4. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents, or other things by applying to the Office of Administrative Hearings.
5. Pursuant to 1 California Code of Regulations, section 1032, parties are entitled, upon request, to be provided with the assistance of an interpreter if they do not proficiently speak or understand the English language. If you require the assistance of an interpreter, timely notice of this fact should be given to our office so that appropriate arrangements can be made.
6. You are hereby further notified that pursuant to the provisions of 14 CCR section 17050 et seq. the violations alleged against you may cause you to be placed on the CalRecycle's Unreliable Contractors, Subcontractors, Borrowers, and Grantees list. Placement on this list may prohibit you from obtaining contracts, loans, or grants from the CalRecycle for a period up to three years.
7. Continuances are not favored. If you need a continuance, write or call immediately to the Office of Administrative Hearings, 1350 Front Street, Suite 3005, San Diego, California 92101 (619) 525-4475. That agency has control of continuances. Requests without good cause will be denied.