

**CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
WASTE TIRE HAULER/MANIFESTING VIOLATIONS
STIPULATION, DECISION, AND ORDER**

Complainant, the California Department of Resources Recycling and Recovery (CDRRR) and Respondent(s) hereby agree that the stipulation will be a final resolution of the violations alleged below. The parties stipulate to the following facts and violations of law:

CDRRR ENFORCEMENT ORDER NUMBER: 2010-000254-PEN

RESPONDENT: Tire Zone
9433 Sierra Avenue
Fontana, CA 92335

PUBLIC RESOURCES CODE (PRC) SECTION VIOLATED:

TITLE 14, CALIFORNIA CODE OF REGULATIONS (CCR) VIOLATED: 14 CCR §18459.3(a) & §18459.1

DESCRIPTION OF VIOLATIONS:

On or after July 26, 2010, **Tire Zone** failed to retain manifest records for three years and failed to have records available at the site during normal working hours for inspection. Additionally, **Tire Zone** did not have its Tire Program Identification certificate posted as required by regulation.

Pursuant to 14 CCR 18459.3 (a) The waste tire generator, and end-use facility shall retain a copy of the completed Manifest Form at their place of business. Manifest Forms shall also be retained for three (3) years. These records shall be made available to any authorized representative of the Department upon request.

Further, pursuant to 14 CCR §18459.1 (a), on or after July 1, 2003, every waste tire generator shall apply for and obtain a CalRecycle assigned Tire Program Identification Number for each location from which used or waste tires are generated and transported from. Each separate business location shall be assigned a unique site specific Tire Program Identification Number. The Department shall issue a Tire Program Identification Number certificate for each location, which shall be posted by the operator in a conspicuous place.

DATE(S) OF VIOLATION: On or after July 26, 2010 and October 13, 2010

STIPULATION DUE DATE: 15 DAYS FROM THE DATE OF SERVICE

TOTAL MONETARY PENALTY: \$300

NUMBER OF COUNTS: 2

STATEMENT BY RESPONDENT(S):

I acknowledge that the violation(s) of the Public Resources Code and/or Title 14, California Code of Regulations (CCR) described above and on Exhibit 1 attached, have occurred and request that the California Department of Resources Recycling and Recovery resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* at the bottom of this form and voluntarily waive any and all procedural rights to contest this matter in an Administrative Hearing. I have enclosed a check or money order made payable to the California Department of Resources Recycling and Recovery in the amount of the penalty described above. I understand that if there are not sufficient funds in my bank account when the check is deposited, CDRRR has the discretion to determine that this agreement is null and void, and can prosecute this allegation as if no agreement has been executed.

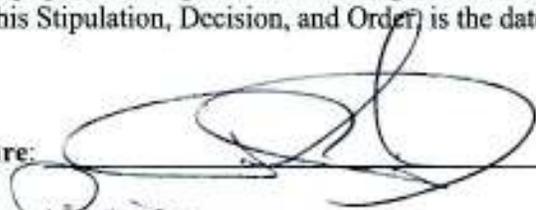
RESPONDENT has freely and voluntarily entered into this Stipulation, Decision, and Order (hereinafter "Stipulation"), and has been afforded the opportunity to consult with counsel prior to entering into this Stipulation. It is expressly understood and agreed that no representations or promises of any kind, other than as contained

herein, have been made by any party to induce any other party to enter into this Stipulation, and that said Stipulation may not be altered, amended, modified, or otherwise changed except by a writing executed by each of the parties hereto.

This Stipulation constitutes the entire understanding of the parties concerning the settlement of this proceeding. There are no restrictions, promises, warranties, covenants, undertakings, or representations other than those expressly set forth herein or contained in separate written documents delivered or to be delivered pursuant hereto, and each party expressly acknowledges that it has not relied upon any restrictions, promises, warranties, covenants, undertakings, or representations other than those expressly contained herein.

If necessary, this Stipulation may be executed in counterparts, each of which shall be an original, and all together shall form one agreement. In addition, for purposes of this Stipulation, facsimile signatures will be treated as originals until the applicable page(s) bearing non-facsimile signatures have been received by the parties.

The effective date of this Stipulation, Decision, and Order, is the date that the Department Director signs it.

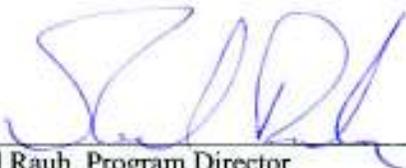
Dated: 12-30-10 Signature: 
Printed Name: Paul Pairo
Job Title: Manager
Name and Address of Business Entity: 9433 Sierra Ave Fremont, CA 97335
Any DBAs: _____

For California Department of Resources Recycling and Recovery Use Only

STATEMENT BY DIRECTOR:

The foregoing stipulation has been adopted by the California Department of Resources Recycling and Recovery as its final decision and order and is effective upon execution below by the Director of the California Department of Resources Recycling and Recovery.

IT IS SO ORDERED:

Dated: JANUARY 3, 2011 
Ted Rauh, Program Director
Waste Compliance and Mitigation Program
California Department of Resources Recycling and Recovery

RECEIVED
JAN 03 2011
BY: JMP