



1 You are currently in violation of California Waste Tire Laws as prescribed by PRC  
2 section 42800 et seq.;

3 The City of San Diego Waste Tire Grantee (SDWTG) inspected this site on  
4 July 14, 2011 and determined that more than 499 waste tires were being stored on site;

5 SDWTG issued a Notice of Violation to you as the Property Owner/Operator on July 14,  
6 2011, as documented in Inspection Report I1-1223809, which is attached hereto and  
7 incorporated herein by reference as Appendix A-2, requiring the tires to be removed by  
8 July 14, 2011;

9 CalRecycle inspected this site on August 25, 2011, as documented in Inspection Report  
10 I1-1134770, which is attached hereto and incorporated by reference as Appendix A-2 and  
11 determined that more than 499 waste tires remained on site;

12 CalRecycle inspected this site on October 5, 2011 as documented in Inspection Report  
13 I1-1169624, which is attached hereto and incorporated by reference as Appendix A-2 and  
14 determined that more than 499 waste tires remained on site;

15 The San Diego Grantee and CalRecycle inspected this site on March 1, 2012 as  
16 documented in Inspection Report I1-1211105, which is attached hereto and incorporated by  
17 reference as Appendix A-2 and determined that more than 499 waste tires remained on site;

18 To date, you have not acquired a WTF permit for this site;

19 You are in violation of PRC section 42824 for accepting and storing 5,000 or more  
20 waste tires on this site without obtaining a "Major Waste Tire Facility Permit";

21 You are in violation of Title 14 of the California Code of Regulations (CCR), section  
22 18420(a), which requires every Operator of a major or minor WTF that stores, stockpiles,  
23 accumulates or discards waste tires to acquire a Permit;

24 You are in violation of Title 14 of the CCR, section 18423, which requires every  
25 Operator of a major or minor WTF to submit a completed Permit application;

26 Since this site meets the definition of a "Waste Tire Facility" as set out in PRC section  
27 42808, this site is also subject to the same safety and security measures to which a legally  
28 permitted facility is subject. These requirements are set forth in Title 14 of the CCR,

1 Division 7, Chapter 3, Article 5.5, attached hereto and incorporated herein by reference as  
2 "Appendix B";

3 CalRecycle has the authority to order WTF Operators who are in violation of the  
4 aforementioned law to clean up waste tire piles, abate the effects thereof, or otherwise remedy  
5 a case of threatened pollution or nuisance, pursuant to PRC section 42845(a);

6 Where there is no identified "Operator", the Operator shall mean the Owner, pursuant to  
7 Title 14 of the CCR, section 17225.755;

8 CalRecycle has the authority to seek administrative penalties of not less than five  
9 hundred dollars (\$500) and up to ten thousand dollars (\$10,000) for each violation of a  
10 separate provision or, for continuing violations, for each day that the violation continues,  
11 against any person who violates any provision of this Chapter, or any permit, rule, regulation,  
12 standard or requirement issued or adopted pursuant to this Chapter as provided in PRC  
13 sections 42850 and 42850.1.

14  
15 **THEREFORE, PURSUANT TO PRC SECTION 42845, YOU ARE ORDERED TO:**

16 Reduce and maintain the number of waste tires onsite to 499 or less, in accordance  
17 with the following:

- 18 1. Remove all waste tires in excess of 499 from the premises within 15 days from  
19 the date of service of this Cleanup and Abatement Order (CAO), in accordance  
20 with the following waste tire removal schedule:

21 a. Waste Tire Removal Schedule

- 22 i. Waste tires shall be removed from the premises. CalRecycle must  
23 approve the destinations of the tires to ensure that a registered waste  
24 tire hauler legally transports them to an approved facility.
- 25 ii. All waste tires (whole and/or passenger tire equivalents, pursuant to  
26 Title 14 of the CCR, section 17225.770) shall be removed by a  
27 registered waste tire hauler, as prescribed by PRC section 42950 et  
28 seq., within 15 days from the date of service of this CAO. A completed

1 Comprehensive Trip Log (CTL), CalRecycle 203, manifest form must  
2 accompany each load and a copy of each completed CTL form must  
3 be submitted to CalRecycle within 30 days from the date of service of  
4 this CAO. Failure to comply with this provision may result in penalties,  
5 pursuant to PRC sections 42961.5 and 42962.

- 6 2. At no time may you accept additional waste tires at this site unless there are less  
7 than 499 onsite and the acceptance of additional waste tires will not result in  
8 more than 499 waste tires being onsite.

9  
10 **PLEASE TAKE FURTHER NOTICE THAT PURSUANT TO PRC SECTIONS 42845,**  
11 **42850 and 42850.1:**

12 If you do not complete or comply with the above actions by the specified dates,  
13 CalRecycle may petition the superior court for injunctive relief to enforce this CAO and for civil  
14 penalties in the amount of not less than \$500 and up to \$10,000 for each violation of a  
15 separate provision or, for continuing violations, for each day the violation continues, pursuant  
16 to PRC sections 42845, 42850 and 42850.1. Civil penalties may be imposed in a civil action or  
17 may be imposed administratively, pursuant to PRC section 42850 et seq.;

18 If a decision is made in favor of CalRecycle in an administrative or civil hearing in  
19 accordance with PRC section 42850 et seq., CalRecycle or its contractors may subsequently  
20 enter your property for the purposes of abatement or remediation without your consent,  
21 pursuant to PRC section 42846.5;

22 You have ten (10) days from the date of service of this order to file a petition with  
23 CalRecycle raising any substantial issues that are appropriate for review. CalRecycle will  
24 review the petition and respond within thirty (30) days from the date of receipt by CalRecycle.  
25 Regardless of whether you file a petition, you must complete the above actions ordered  
26 pursuant to PRC section 42845;

1 If you fail to remove all of the waste tires by the required date, CalRecycle is authorized  
2 to expend available funds to perform any necessary cleanup, abatement or remedial work, as  
3 set forth in PRC section 42845 et seq.;

4 If CalRecycle expends funds to perform any cleanup, abatement or remedial work,  
5 CalRecycle may seek cost reimbursement from you and any other responsible party acting as  
6 the Operator or Property Owner, pursuant to PRC section 42847;

7 Moreover, funds so expended by CalRecycle constitute a lien upon the real property  
8 owned by any responsible party that is subject to the remedial action, pursuant to PRC section  
9 42847.5.

10 Nothing in this CAO shall constitute or be construed as a satisfaction or release from  
11 liability for any conditions or claims arising as a result of yours or any other responsible party's  
12 past, current or future operations acting as the Operator or Property Owner. Notwithstanding  
13 compliance with the terms of this CAO, you may be required to take further actions as are  
14 necessary to protect public health or welfare or the environment.

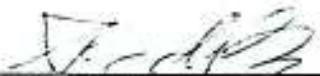
15 CalRecycle shall not be liable for injuries or damages to persons or property resulting  
16 from acts or omissions by you or any other responsible party acting as the Operator or  
17 Property Owner, or related parties in carrying out activities pursuant to this CAO; nor shall  
18 CalRecycle be held as a party to any contract entered into by you or any other responsible  
19 party acting as Operator or Property Owner or their agent(s) in carrying out activities pursuant  
20 to this CAO.

1 This CAO does not relieve you or any other responsible party acting as the Operator or  
2 Property Owner from complying with all other local, state and federal requirements.

3 This CAO may only be amended in writing by an authorized CalRecycle representative.

4 If you have any questions about this CAO, you may contact Stephen Dolan of my staff  
5 at 805-256-5820.

6  
7 Dated this 25 day of March 2012

8  
9 

10 Mark de Bie  
11 Deputy Director  
12 Waste Permitting, Compliance &  
13 Mitigation Division  
14 Department of Resources  
15 Recycling and Recovery

**APPENDIX - A1**  
**PROPERTY PROFILE**

Search Type: Real Property  
Reference:

OTAY MESA WEST 69 L L C  
8 records aggregated.

Record 1 out of 8 (Tax roll)

**OWNER INFORMATION**

<p>Situs Address: <u>6987 CALLE DE LINEA</u> <input type="checkbox"/> <u>SAN DIEGO, CA 92134-8016</u></p> <p>Mailing Address: <u>1301 DOVE 860</u> <input type="checkbox"/> <u>NEWPORT BEACH, CA 92660</u></p>	<p>Owner: OTAY MESA WEST 69 L L C Additional Name: OTAY MESA WEST 69 L L C Owner Corporate Indicator: CORPORATE OWNER Owner Ownership Rights Code: CORPORATION Absentee Owner: ABSENTEE (MAIL AND SITUS NOT=)</p>
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**PROPERTY INFORMATION**

<p>FIPS Code: SAN DIEGO FIPS Sub Code: 000 FIPS State Code: CALIFORNIA APN Sequence Number: 1 Unformatted APN: 6670505100 Formatted APN: 667-050-51-00 Original APN: 667 050 51 Property Indicator: WAREHOUSE Land Use: WAREHOUSE Zoning: 7 Land Square Footage: 331491 Acres: 7.6100 Front Footage: 510</p>	<p>Subdivision Name: INTERNATIONAL BUS CENTER Legal Description: LOT 11 Subdivision Tract Number: 12202 Lot Number: 11</p>
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**APPENDIX - A2**

**INSPECTION REPORTS AND PHOTOS**

**SAN DIEGO COUNTY INSPECTION REPORT 01/05/2011**

**SAN DIEGO COUNTY INSPECTION REPORT 07/14/2011**

**CALRECYCLE INSPECTION REPORT 08/25/2011**

**JOINT SAN DIEGO COUNTY/CALRECYCLE INSPECTION REPORT  
10/05/2011**

**JOINT SAN DIEGO COUNTY/CALRECYCLE INSPECTION REPORT  
03/01/2012**

11075050025

# Waste Tire Survey & Inspection Report

## Survey Form - Page 1

Inspection Report Number

**11 - 1128340**

State of California  
 CWMB § 121 (Pur 6496)  
 California Integrated Waste Management Board

BLUE OR BLACK INK PEN

**Part A - Survey**

<b>Business Profile</b>		<b>Inspection Details</b>	
TPID - Site Suffix: <b>11642979-01</b>	Inspection Type (Fill one) <input type="radio"/> Routine <input type="radio"/> Re-inspection <input checked="" type="radio"/> Referral <input type="radio"/> Observation	If Referral, choose referral type (Fill one) <input type="radio"/> CHP <input checked="" type="radio"/> CWMB <input type="radio"/> Complaint <input type="radio"/> Educational Visit <input type="radio"/> Other	
Local Identifier: <b>TB61751 04 976</b>	Inspected By: <b>37 - 102</b>	Inspector: <i>[Signature]</i>	
Business or Facility Name: <b>California Tire Recovery, LLC dba RoadPro's Tire and RoadPro's Transport</b>	Inspection Date: <b>01 / 05 / 11</b>	Time In: <b>12:50</b> <input type="radio"/> AM <input checked="" type="radio"/> PM	
Physical Address: <b>6987 Calle DeLinea Ste 107</b>	City: <b>San Diego</b> State: <b>CA</b> ZIP Code: <b>92154</b>	Time Out: <b>01:30</b> <input type="radio"/> AM <input checked="" type="radio"/> PM	
Business Rep: <b>N/A</b> Title: <b>N/A</b>	Operational Status (Fill one only) <input type="radio"/> Active <input type="radio"/> Closed <input type="radio"/> Inactive <input checked="" type="radio"/> Planned	Tire Type (Fill all that apply) <input checked="" type="radio"/> Passenger <input type="radio"/> Altered <input checked="" type="radio"/> Truck <input type="radio"/> OTR	Business Role (Fill all that apply) <input checked="" type="radio"/> Generator <input type="radio"/> Hauler <input checked="" type="radio"/> End-Use
Tire Count (Whole/PTE): <b>0</b>	Storage Type (Fill all that apply) <input type="radio"/> Outdoor <input checked="" type="radio"/> Indoor <input type="radio"/> Container	GPS Latitude: <b>32.54802</b> Longitude: <b>-116.98908</b>	
Business Type (Fill all that apply) <input checked="" type="radio"/> New Tire Dealer <input type="radio"/> Auto Repair <input type="radio"/> Trucking Fleet <input type="radio"/> Government <input type="radio"/> Retreader <input type="radio"/> Demantler <input type="radio"/> Tire Derived Fuel <input checked="" type="radio"/> Used Tire Dealer <input type="radio"/> Auto Body <input type="radio"/> Car Dealer <input type="radio"/> Collection <input type="radio"/> Crumb Rubber <input type="radio"/> Service Station <input checked="" type="radio"/> Hauler <input type="radio"/> Agriculture <input type="radio"/> Shredder <input type="radio"/> Other			

**Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility**

**A. HAULING AND MANIFEST REQUIREMENTS**

- PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
- PRC § 42953 - Contracts with Registered Waste Tire Haulers.
- PRC § 42956 - Registration/Decal in Vehicle
- 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
- 14 CCR § 18459.1 - Tire Program ID Number from CWMB
- 14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
- 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years
- 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers.
- 14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities
- 14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
- Other: **§**

**ENFORCEMENT STATUS**

Violation  Extension  
 Compliance Deadline  
 Date:  /  /   
 (Required for MOU § EXT)  
 Referred / CWMB Enforcement

Comments: *Request by State Inspector Dolan to inspect facility. Business is in planning stages w/ MWF permit submitted to CalRecycle and plan on being a Registered Waste Tire Hauler. No business rep. on site to gain access; inside of building, as seen through front windows, is empty.*

*continued ->*

Inspection Form Included:  *mailed 1/26/11*  
 Comments Included:  *614 726-4488*  
 Business Rep's Signature: *[Signature]* Phone Number: **614 573-3694**  
 Inspector's Signature: *[Signature]* Phone Number: **614 573-3694**

INSTRUCTIONS ON BACK

**EXAMPLE 123**

White Copy: CWMB Yellow Copy: Operator Pink Copy: LEA

62081



# Waste Tire Survey & Inspection Report

## Comments Form

11A75858025

BLUE OR BLACK INK PEN

Business Profile		Inspection Details	
TPID - Site Suffix:	1642979-01	Inspection Report Number:	IL-1128340
		Inspection Number on the associated Survey form (Page 1)	

Comments

Basic Rules to maintain "In Compliance" Status:

- Check [www.calrecycle.ca.gov/tires/](http://www.calrecycle.ca.gov/tires/) or call 1866-896-0600 to stay current with all rules and regulations.
- Keep TPID # certificate posted at all times.
- Transport of 10 or more used or waste tires requires use of Registered Waste Tire Hauler and manifest.
- Transport of any # used/waste tires by Registered Waste Tire Hauler requires use of manifest.
- Be sure manifests are complete/correct every time.
- As Hauler, a manifest must be completed for every pick up and delivery.
- As Hauler, decal must be placed on the lower passenger side of the windshield.
- Keep manifests on file, on site, available for inspection for 3 years.
- As End-Use facility use Form 204 when needed.
- IF MWTP permit is granted all terms must be followed
- maintain proper fire equipment

EXAMPLE 123

42408



White Copy: CWMB

Yellow Copy: Operator

Pink Copy: LEA



# Waste Tire Survey & Inspection Report

## Survey Form - Page 1

Inspection Report Number

I1 - 1223809

State of California  
 CalRecycle 181 (Rev. 10/10)  
 Div. of Resource Recycling and Recovery (CalRecycle)

BLUE OR BLACK INK PEN

### Part A - Survey

<b>Business Profile</b>		<b>Inspection Details</b>	
TPID - Site Suffix: 1642979-01	Local Identifier: 1351 D4 976	Inspection Type (Fill one) <input checked="" type="radio"/> Routine <input type="radio"/> Re-inspection <input type="radio"/> Referral <input type="radio"/> Observation If Referral, choose referral type (Fill one) <input type="radio"/> CHP <input type="radio"/> CalRecycle <input type="radio"/> Complaint <input type="radio"/> Educational Visit <input type="radio"/> Other	Inspected By: 37-102 W Inspector: AE
Business or Facility Name California Tire Recovery		Inspection Date: 07/14/11	
Physical Address 6987 Calle Del Mar Ste 107 San Diego CA 92154		Time In: 12:15 <input type="radio"/> AM <input checked="" type="radio"/> PM   Time Out: 02:15 <input type="radio"/> AM <input checked="" type="radio"/> PM	
Business Rep Giovanni Moreno	Title Worker	Operational Status (Fill one only) <input checked="" type="radio"/> Active <input type="radio"/> Closed <input type="radio"/> Inactive <input type="radio"/> Planned	Tire Type (Fill all that apply) <input checked="" type="radio"/> Passenger <input checked="" type="radio"/> Mixed <input checked="" type="radio"/> Truck <input checked="" type="radio"/> OTR
Tire Count (Whole/PTE): 4,144	GPS Latitude: 32.54802° Longitude: -116.98908°	Business Role (Fill all that apply) <input checked="" type="radio"/> Generator <input type="radio"/> Hauler <input checked="" type="radio"/> End-Use	Storage Type (Fill all that apply) <input type="radio"/> Outdoor <input checked="" type="radio"/> Indoor <input checked="" type="radio"/> Container
Business Type (Fill all that apply): <input type="radio"/> New Tire Dealer <input type="radio"/> Auto Repair <input type="radio"/> Trucking Fleet <input type="radio"/> Government <input type="radio"/> Retreader <input type="radio"/> Dismantler <input type="radio"/> Tire Derived Fuel <input checked="" type="radio"/> Used Tire Dealer <input type="radio"/> Auto Body <input type="radio"/> Car Dealer <input type="radio"/> Collection <input type="radio"/> Crumb Rubber <input type="radio"/> Service Station <input type="radio"/> Hauler <input type="radio"/> Agriculture <input type="radio"/> Shredder <input type="radio"/> Other			

### Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

<input type="checkbox"/>	<input type="checkbox"/>	PRC § 42961 - Waste Tire Hauler Registration and Transport of Tires
<input type="checkbox"/>	<input type="checkbox"/>	PRC § 42963 - Contracts with Registered Waste Tire Haulers
<input type="checkbox"/>	<input type="checkbox"/>	PRC § 42966 - Registration/Label in Vehicle
<input type="checkbox"/>	<input type="checkbox"/>	14 CCR § 18456 - Responsible Entities Complying with Manifesting Requirements
<input type="checkbox"/>	<input type="checkbox"/>	14 CCR § 18459.1 - Tire Program ID Number from CalRecycle
<input type="checkbox"/>	<input type="checkbox"/>	14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
<input type="checkbox"/>	<input type="checkbox"/>	14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years
<input type="checkbox"/>	<input type="checkbox"/>	14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
<input type="checkbox"/>	<input type="checkbox"/>	14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities
<input type="checkbox"/>	<input type="checkbox"/>	14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
<input type="checkbox"/>	<input type="checkbox"/>	Other: §



888-447-6887 (CalRecycle)

CASHI02

Comments: Mr. Moreno consented to inspection. Continue to keep TPID<sup>2</sup> certified at all times. New business around Jan 11. Plus tires using sister company Road Pros (same owner - August, Eric Z) from generators, bring to this facility for processing and contracts w/ Recycled Tires Inc. No new tires onsite. Truck loaded outside = 52'x8'x10' loaded w/ 20 stacks x 2 rows x 6 trucks each. 105 in Road Pros truck.

Inspection Form Included:  *Inspected*  *Not Inspected*

Comments Included:  *Inspected*  *Not Inspected*

Business Rep's Signature: G. Moreno   Phone Number: 619 444-8888   Inspector's Signature: [Signature]   Phone Number: 619 533-7694

INSTRUCTIONS ON BACK

EXAMPLE 1 2 3

62061

White Copy: CalRecycle

Yellow Copy: Operator

Pink Copy: LEA

pg 1

-x6+9

# Waste Tire Survey & Inspection Report Comments Form

State of California  
CALWTS 128 (Rev. 08/04)  
California Integrated Waste Management Board

BLUE OR BLACK INK PEN

Business Profile	Inspection Details
TPID - Site Suffix: 1642979-01	Inspection Report Number: I 1-1223809 Inspection Number on the associated Survey form (Page 1)

### Comments

- Facility must have correct/complete manifest for every pickup and delivery
- Be sure manifest is complete/correct before signing
- Keep TPID # Certificate posted at all times
- Keep manifests onsite, in file, ready for inspection for 3 years
- Transport of 10 or more used/waste tires requires use of Registered Waste Tire Hauler and manifest
- Transport of any # used/waste tires by Registered Waste Tire Hauler requires use of manifest.
- A tire dealer storing between 500 and 1,499 waste tires must show they are getting rid of those tires <sup>at least</sup> every 90 days.
- As a tire dealer, storage of 1500 or more waste tires requires a Waste Tire Facility (WTF) Permit. (NOV)
- When storing 500 or more waste tires, fire equipment must be maintained - see Tire Storage + Disposal Standards (invad)
- Used tires not properly 'racked + stacked' are considered waste tires.
- Issues: WTFB Brochure, Permit Requirements, Tire Storage + Disposal Standards, WTRMS - Field Reference Guide; NOV
- Re-Inspection in 30 days to make sure there are less than 1500 waste tires or that Permit has been issued. Inspector will be looking for manifests for all tires removed from this facility.

EXAMPLE 123

42408

White Copy: CWMB

Yellow Copy: Operator

Pink Copy: LEA

pg 3



# Waste Tire Survey & Inspection Report Comments Form

State of California  
CWSMB 123 (Rev 04-04)  
California Integrated Waste Management Board

BLUE OR BLACK INK PEN

Business Profile	Inspection Details
TIRE - Site Suffix: 1642979-01	Inspection Report Number: I 1 - 1223804 <small>Inspection Number on the associated Survey form (Page 1)</small>

Comments

Door, Door, Door, Door, 100yr 5., 100yr 10., Barrel = 47., Laced, 20', 27.5', 26', 42', 19.5', 100yr 5., 100yr 10., 139, 26, 47, 10, 5, 130, 132, 434, 42, 20, 23, 13, 48, in building, in trucks, total onsite, 918=72, 13 laced, Barrelstacks, 14x7 = 98., FB, BAGZE

22 Barrel stack of sidewalls  
 $area = 25 \times 5 \times 2 = 250$   
 $10 \div 27 \times 20 = 111.1$   
 $= 7.4$   
 $-10\% = 6.6$  per stack  
 $6 \times 22 \text{ stacks} = 132$

174 interland Treads =  
 are 6 each  
 $6 \times 174 = 1044$  tires  
 $-10\% = 939$

EXAMPLE 123

White Copy: CWSMB

Yellow Copy: Operator

Pink Copy: LEA

pg 4



# Waste Tire Survey & Inspection Report

## Inspection Form - Page 2

### Part C - Facility Information

BLUE OR BLACK INK PEN

<b>Business Profile</b> TPO - Site Suffix: <b>1642979-01</b> SWIS Number:		<b>Inspection Details</b> Inspection Report Number: <b>I1-1223809</b> Inspection Number on the associated Survey form (Page 1) Photos Taken: <input checked="" type="radio"/> Yes <input type="radio"/> No	
Property Owner:			
Exempt Business Type (Fill if applicable)		Permitted Regulatory Status (Fill one)	
<input type="radio"/> PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption		<input type="radio"/> Permitted <input type="radio"/> Exempt	
Excluded Business Types (Fill if applicable)		<input type="radio"/> Excluded <input checked="" type="radio"/> Unpermitted	
<input type="radio"/> PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)		Facility Type (Fill one)	
<input type="radio"/> 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or balers		<input type="radio"/> Major WTF (≥ 5,000 Tires)	
<input type="radio"/> 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises		<input checked="" type="radio"/> Minor WTF (500 - 4,999 Tires)	
<input type="radio"/> 14 CCR § 18420 (a) (5) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days			
<input type="radio"/> 14 CCR § 18420 (a) (7) & (8) - Tire dealer storing no more than 1,500 waste tires for 90 days			

### Part D - Inspection of Waste Tire Facility

<b>Permit Requirements</b>		<input type="radio"/> <input type="radio"/> 14 CCR § 17362 - Site Security	
<input type="radio"/> PRC § 42824 - Major Waste Tire Facility Permit		<input type="radio"/> (a) Signs <input type="radio"/> (b) Site Attendant <input type="radio"/> (c) Access	
<input checked="" type="radio"/> PRC § 42834 - Minor Waste Tire Facility Permit		<input type="radio"/> 14 CCR § 17363(a) - Vector Control	
<input type="radio"/> PRC § 42830(a) - Complies with Terms of Permit		<input type="radio"/> (1) Impassable Barrier <input type="radio"/> (2) Approved Vector Plan	
<input checked="" type="radio"/> 14 CCR § 18420(a) - Applicable for Permit		<input type="radio"/> 14 CCR § 17364 - Storage of Waste Tires Outdoors	
<input checked="" type="radio"/> 14 CCR § 18423 - Filing Application for Permit		<input type="radio"/> (a) Storage Units	
<input type="radio"/> 14 CCR § 18432 - Operations Plan		<input type="radio"/> (b) Fire Lanes	
<input type="radio"/> 14 CCR § 18433 - Emergency Response Plan		<input type="radio"/> (c) Fire District Requirements	
<b>Recordkeeping Requirement</b>		<input type="radio"/> (d) Drainage	
<input type="radio"/> 14 CCR § 18447 - Records Available		<input type="radio"/> (e) Slope/Grade	
<input checked="" type="radio"/> 14 CCR § 17381 - Fire Prevention Measures		<input type="radio"/> (f) Siting (New Facilities)	
<input type="radio"/> (a) Communication Equipment <input type="radio"/> (c) Water Supply		<input type="radio"/> (g) Rim Removal	
<input checked="" type="radio"/> (b) Fire Equipment <input type="radio"/> (d) Other Requirements		<input type="radio"/> (h) Protection from Pyrolytic Oil Runoff	
		<input type="radio"/> 14 CCR § 17366 - Indoor Storage	
Facility Compliance with NFPA 231D-1999			

Comments: <sup>(Nov)</sup> NOV 17 351 → NO Fire Equip available; Facility does not have MWT Permit  
 Continue to be sure CTL's are complete/correct before signing → be sure  
 driver name at top of manifest is complete/correct before signing (Continue)  
 Tire Recovery representative is also driver for Road Pros. 1443825 ⇒ currently actual driver of vehicle  
 is putting name of owner on manifest, then owner signs it at later date.

INSTRUCTIONS ON BACK

White Copy: CWSM

Yellow Copy: Operator

Pink Copy: LEA

EXAMPLE 123

15306

192

# Waste Tire Survey & Inspection Report

## Survey Form - Page 1

Inspection Report Number  
**11 - 1134770**

State of California  
CWMB 101 (New 04/84)  
California Integrated Waste Management Board

BLUE OR BLACK INK PEN

### Part A - Survey

#### Business Profile

TPID -  
Site Suffix: **1642979-01**

Local Identifier:

#### Business or Facility Name

**CALIFORNIA TIRE RECOVERY**  
Physical Address  
**6987 CALLE de LINZA STE 107**  
**SAN DIEGO CA 92154**

#### Inspection Details

##### Inspection Type (Fill one)

Routine  Re-inspection  Referral  Observation

##### If Referral, choose referral type (Fill one)

CHP  CIWMB  Complaint  Educational Visit  Other

##### Inspected By

##### Inspector

**00 - 100 DOLAN**

Inspection Date **08/25/11**

#### Business Rep

#### Title

**VICTOR M. LIONG OWNER**

#### Time In

#### Time Out

**1:00**  AM  PM  
**12:15**  AM  PM

#### Tire Count (Whole/PTE)

**1,860**

#### Operational Status (Fill one only)

Active  
 Closed  
 Inactive  
 Planned

#### Tire Type (Fill all that apply)

Passenger  
 Altered  
 Truck  
 OTR

#### Business Role (Fill all that apply)

Generator  
 Hauler  
 End-Use

#### Storage Type (Fill all that apply)

Outdoor  
 Indoor  
 Container

#### GPS Latitude

#### Longitude

#### Business Type (Fill all that apply)

New Tire Dealer  Auto Repair  Trucking Fleet  Government  Retreader  Dismantler  Tire Derived Fuel  
 Used Tire Dealer  Auto Body  Car Dealer  Collection  Crumb Rubber  
 Service Station  Hauler  Agriculture  Shredder  Other

### Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

- PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
- PRC § 42953 - Contracts with Registered Waste Tire Haulers.
- PRC § 42955 - Registration/Decal in Vehicle
- 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
- 14 CCR § 18458.1 - Tire Program ID Number from CIWMB
- 14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
- 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years
- 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
- 14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities
- 14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
- Other: §



Comments: **MUST HAVE PERMIT OR KEEP # OF TIRES ON SITE BELOW 500. ALL LOADS OF TIRES MUST BE HAULED BY A REGISTERED HAULER**

Inspection Form Included:

Comments Included:

*[Signature]*

Business Rep. Phone Number

**619-921-8870**

Inspector's Signature

**805-256-5820**

Phone Number

# Waste Tire Survey & Inspection Report

## Inspection Form - Page 2

State of California  
 CWMS 152 (Rev. 04/04)  
 California Integrated Waste Management Board



### Part C - Facility Information

BLUE OR BLACK INK PEN

**Business Profile:**

TPID -  
 Site Suffix: 1642979-01  
 SMS  
 Number:

**Inspection Details**

Inspection  
 Report  
 Number: I1-1134770  
*Inspection Number on the associated Survey Form (Page 1)*  
 Photos Taken  Yes  No

**Property Owner**

**Exempt Business Type (Fill if applicable)**

PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption

**Excluded Business Types (Fill if applicable)**

- PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)
- 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast
- 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises
- 14 CCR § 18420 (a) (6) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days
- 14 CCR § 18420 (a) (7) & (e) - Tire dealer storing no more than 1,500 waste tires for 90 days

**Permitted Regulatory Status (Fill one)**

- Permitted  Exempt
- Excluded  Unpermitted

**Facility Type (Fill one)**

- Major WTF (≥ 5,000 Tires)
- Minor WTF (500 - 4,999 Tires)

### Part D - Inspection of Waste Tire Facility

**Permit Requirements**

- PRC § 42824 - Major Waste Tire Facility Permit
- PRC § 42834 - Minor Waste Tire Facility Permit
- PRC § 42850(a) - Complies with Terms of Permit
- 14 CCR § 18420(a) - Applicable for Permit
- 14 CCR § 18423 - Filing Application for Permit
- 14 CCR § 18432 - Operations Plan
- 14 CCR § 18433 - Emergency Response Plan

**Recordkeeping Requirement**

- 14 CCR § 18447 - Records Available
- 14 CCR § 17361 - Fire Prevention Measures
  - (a) Communication Equipment  (c) Water Supply
  - (b) Fire Equipment  (d) Other Requirements

- 14 CCR § 17352 - Site Security
  - (a) Signs  (b) Site Attendant  (c) Access
- 14 CCR § 17353(a) - Vector Control
  - (1) Impermeable Barrier  (2) Approved Vector Plan
- 14 CCR § 17354 - Storage of Waste Tires Outdoors
  - (a) Storage Units
  - (b) Fire Lanes
  - (c) Fire District Requirements
  - (d) Drainage
  - (e) Slope/Grade
  - (f) Siting (New Facilities)
  - (g) Rim Removal
  - (h) Protection from Pyrolytic Oil Runoff
- 14 CCR § 17356 - Indoor Storage  
 Facility Compliance with NFPA 231D-1989

**Comments**

AND ALL LOADS MUST BE ACCOMPANIED BY A MANIFEST

# Waste Tire Survey & Inspection Report Comments Form

State of California  
CWMS 182 (New 9454)  
California Integrated Waste Management Board

BLUE OR BLACK INK PEN

### Business Profile

TPID -  
Site Suffix: 1642979-01

### Inspection Details

Inspection Report Number: I 1-113477  
Inspection Number on the associated Survey form (Page 1)

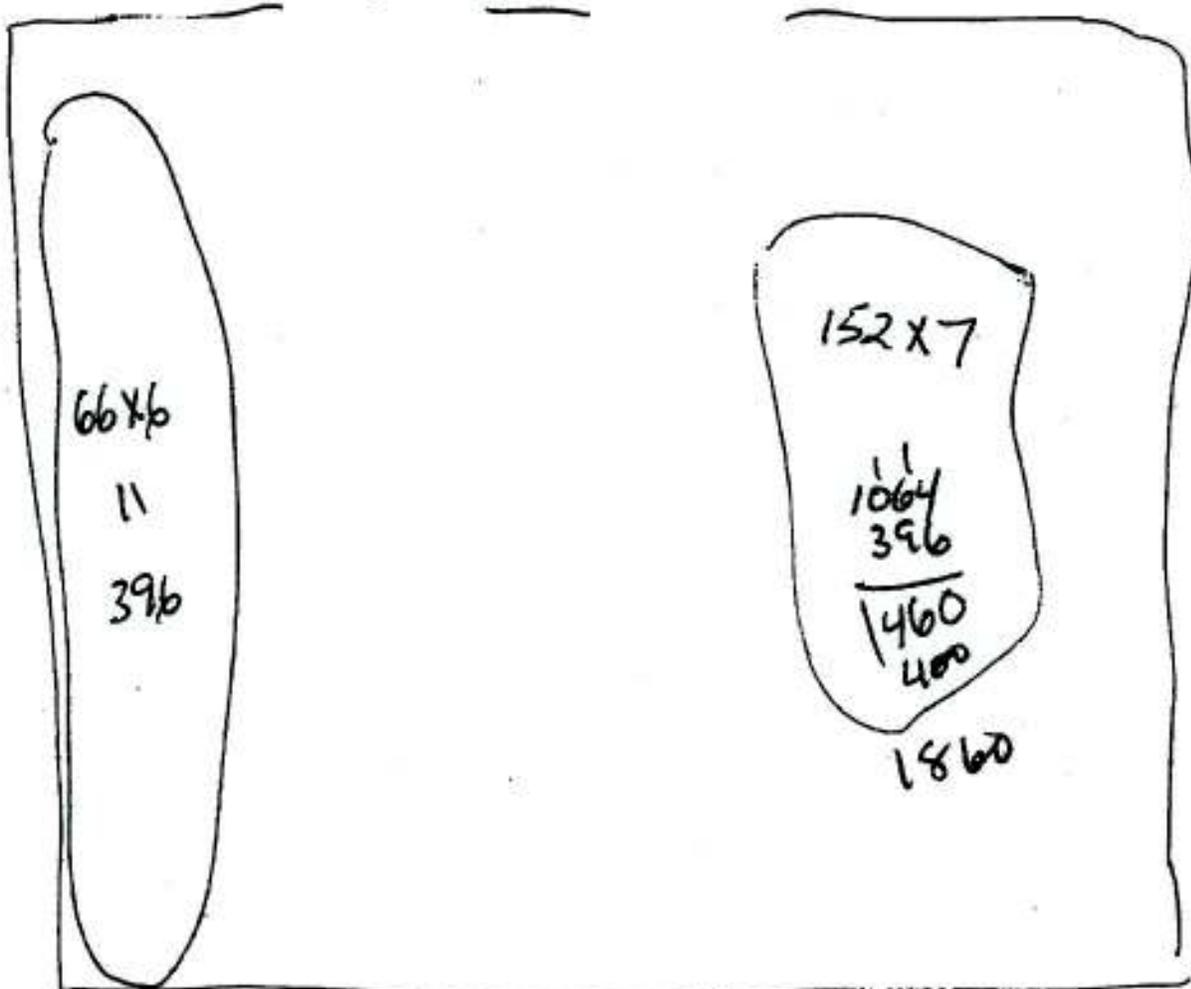
### Comments

3152  
7  
1064

PULL  
40

APPLY

52 x 8 + 10 x 8  
27





# Waste Tire Survey & Inspection Report

## Survey Form - Page 1

Inspection Report Number

11 - 1169624

State of California  
CalRecycle 181 (Rev. 10/10)  
Dept. of Resources Recycling and Recovery (CalRecycle)

BLUE OR BLACK INK PEN

### Part A - Survey

TPID -  
Site Suffix: 1642979-01

Local Identifier:

Business or Facility Name

CALIFORNIA TIRE RECYCLING  
Physical Address  
6987 CALLE DE LINGA STE #107  
SAN DIEGO CA 92154

Business Rep Title  
VICTOR M. LIONG OWNER

Tire Count (Whole/PVE) 3,600

GPS Latitude

Longitude

### Inspection Details

Inspection Type (Fill one)

Routine  Re-inspection  Referral  Observation

If Referral, choose referral type (Fill one)

CHP  CalRecycle  Complaint  Educational Visit  Other

Inspected By

Inspector

00-100 DOLAN/DARON

Inspection Date 10/05/11

Time In

Time Out

09:15 AM 10:30 AM

Operational Status (Fill one only)

Active  
 Closed  
 Inactive  
 Planned

Tire Type (Fill all that apply)

Passenger  
 Altered  
 Truck  
 OTR

Business Role (Fill all that apply)

Generator  
 Hauler  
 End-Use

Storage Type (Fill all that apply)

Outdoor  
 Indoor  
 Container

### Business Type (Fill all that apply)

New Tire Dealer  Auto Repair  Trucking Fleet  Government  Retreader  Dismantler  Tire Derived Fuel  
 Used Tire Dealer  Auto Body  Car Dealer  Collection  Crumb Rubber  
 Service Station  Hauler  Agriculture  Shredder  Other

### Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

- V A**
- PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
  - PRC § 42953 - Contracts with Registered Waste Tire Haulers.
  - PRC § 42956 - Registration/Decal in Vehicle
  - 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
  - 14 CCR § 18459.1 - Tire Program ID Number from CalRecycle
  - 14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
  - 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years
  - 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
  - 14 CCR § 18481 - Manifest System Requirements for Waste Tire End-Use Facilities
  - 14 CCR § 18482 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
  - Other: §

### ENFORCEMENT STATUS

Notice Of Violation  Citation

Compliance Deadline

Date [ ] / [ ] / [ ]  
(Required for NOV or CIT)

Referred / CalRecycle Enforcement

In Compliance - No Violations

Comments RE-INSPECTION TO ENSURE COMPLIANCE. INSPECTION SHOWED 3,600 WASTE TIRES. STORAGE OF OVER 500 WASTE OR USED TIRE REQUIRES A MINOR WASTE TIRE PERMIT. OPERATION IS CURRENTLY WORKING WITH CALRECYCLE PERMITTING

Inspection Form Included:

Consent to Inspect

*[Signature]*  
Name: Victor M. Liong

*[Signature]*  
Inspector's Signature: SDD 905-251-5720

# Waste Tire Survey & Inspection Report

## Inspection Form - Page 2

State of California  
CWSMB 132 (New 04/04)  
California Integrated Waste Management Board

### Part C - Facility Information

BLUE OR BLACK INK PEN

#### Business Profile

#### Inspection Details

TPID -  
Site Suffix: **1642979-01**  
SWS  
Number: -

Inspection  
Report  
Number: **I1-1169624**  
*Inspection Number on the associated Survey form (Page 1)*

Photos Taken  Yes  No

Property Owner

#### Exempt Business Type (Fill if applicable)

PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption

#### Excluded Business Types (Fill if applicable)

- PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)
- 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast
- 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises
- 14 CCR § 18420 (a) (6) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days
- 14 CCR § 18420 (a) (7) & (e) - Tire dealer storing no more than 1,500 waste tires for 90 days

#### Permitted Regulatory Status (Fill one)

- Permitted  Exempt
- Excluded  Unpermitted

#### Facility Type (Fill one)

- Major WTF (≥ 5,000 Tires)
- Minor WTF (500 - 4,999 Tires)

### Part D - Inspection of Waste Tire Facility

#### Permit Requirements

- PRC § 42824 - Major Waste Tire Facility Permit
- PRC § 42834 - Minor Waste Tire Facility Permit
- PRC § 42850(a) - Complies with Terms of Permit
- 14 CCR § 18420(a) - Applicable for Permit
- 14 CCR § 18423 - Filing Application for Permit
- 14 CCR § 18432 - Operations Plan
- 14 CCR § 18433 - Emergency Response Plan

#### Recordkeeping Requirement

- 14 CCR § 18447 - Records Available
- 14 CCR § 17391 - Fire Prevention Measures
  - (a) Communication Equipment  (c) Water Supply
  - (b) Fire Equipment  (d) Other Requirements

14 CCR § 17392 - Site Security  
 (a) Signs  (b) Site Attendant  (c) Access

14 CCR § 17393(a) - Vector Control  
 (1) Impermeable Barrier  (2) Approved Vector Plan

14 CCR § 17394 - Storage of Waste Tires Outdoors

- (a) Storage Units
- (b) Fire Lanes
- (c) Fire District Requirements
- (d) Drainage
- (e) Slope/Grade
- (f) Siting (New Facilities)
- (g) Rim Removal
- (h) Protection from Pyrolytic Oil Runoff

14 CCR § 17396 - Indoor Storage  
Facility Compliance with NFPA 231D-1989

#### Comments

STAFF TO OBTAIN A MINOR PERMIT. CURRENT OPERATIONS ~~REQUIRE A MINOR PERMIT DUE TO 2,000 TIR~~ CONSIST OF CUTTING TIRES, PLACING IN TRAILER AND TAKEN TO MEXICO WHERE THEY ARE SHREDDED AND USED AS FUEL AT CEMEX CEMENT KILN. MUST HAVE CTL'S FOR/SHOWING DELIVERY TO THIS LOCATION. CURRENTLY NO MANIFESTS FOR DELIVERY TO WASTE TIRE RECYCLING



# Waste Tire Survey & Inspection Report Comments Form

BLUE OR BLACK INK PEN

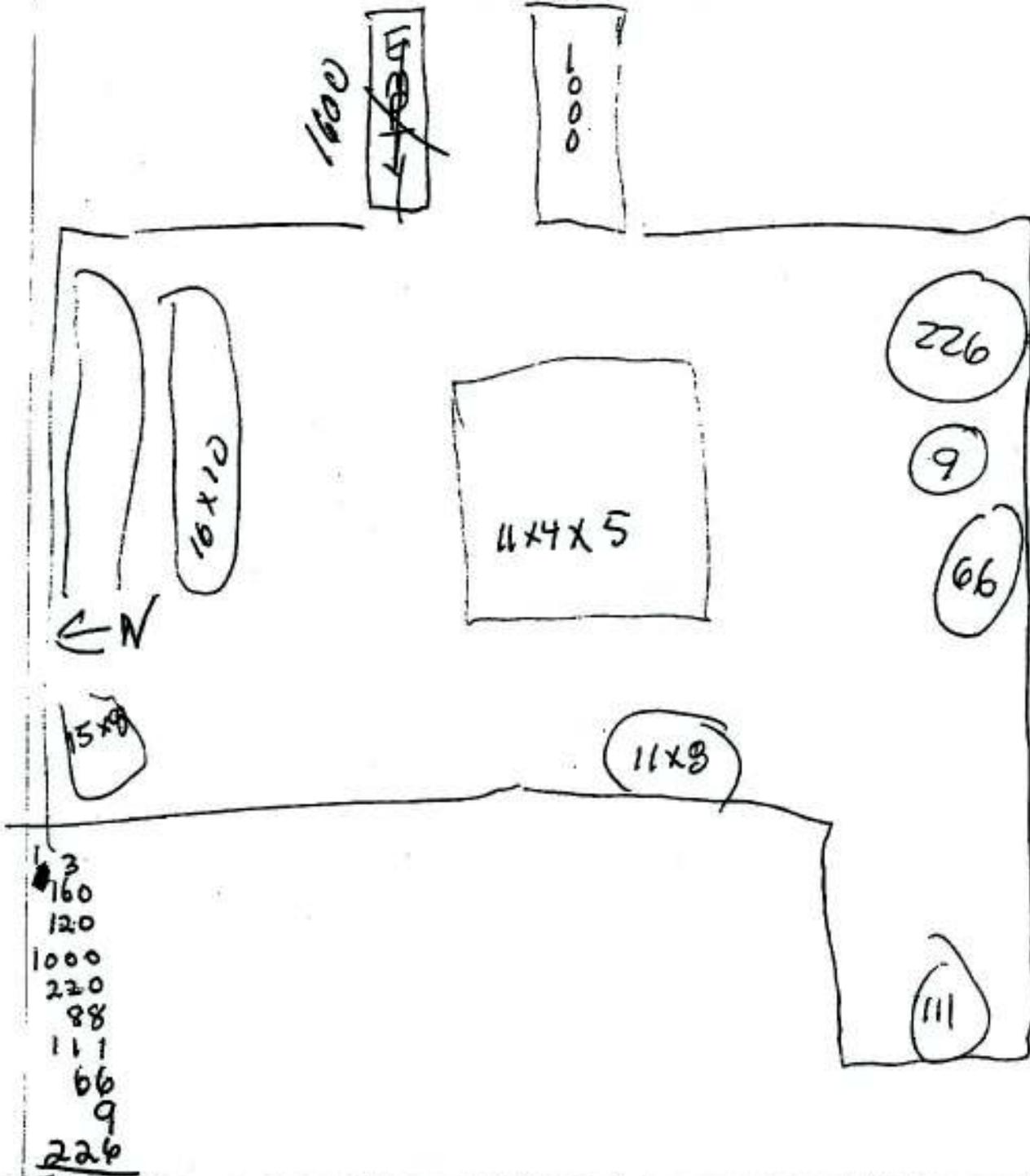
**Business Profile**

TPID-  
Site Suffix: 1642979-01

**Inspection Details**

Inspection  
Report  
Number: I1-1169624  
*Inspection Number on the associated Survey form (Page 1)*

**Comments**



21000



# Waste Tire Survey & Inspection Report

## Survey Form - Page 1

Inspection Report Number

I1 - 1211105

BLUE OR BLACK INK PEN

### Part A - Survey

#### Business Profile

TPID - Site Suffix: 1642979-01

Local Identifier:

Business or Facility Name

CALIFORNIA TIRE RECOVERY

Physical Address

6987 CALLE DE LINEA  
SAN DIEGO CA 92154

Business Rep

SERGIO REYES

Title

LEAD

#### Inspection Details

Inspection Type (Fill one)

Routine  Re-inspection  Referral  Observation

If Referral, choose referral type (Fill one)

CHP  CalRecycle  Complaint  Educational Visit  Other

Inspected By

Inspector

00-100 DOLAN/WARKENTIN

Inspection Date 03/01/12

Time In

Time Out

01:00  AM  PM 2:00  AM  PM

Operational Status (Fill one only)

Active  
 Closed  
 Inactive  
 Planned

Tire Type (Fill all that apply)

Passenger  
 Off-Highway  
 Off-Road

Business Role (Fill all that apply)

Generator  
 Hauler  
 End-Use

Storage Type (Fill all that apply)

Outdoor

Tire Count (Estimated) 5,496

GPS Latitude

Longitude

Business Type (Fill all that apply)

New Tire Dealer  Auto Repair  Trucking Fleet  Government  Retreader  Dismantler  Tire Derived Fuel  
 Used Tire Dealer  Auto Body  Car Dealer  Collection  Crumb Rubber  
 Service Station  Agriculture  Shredder  Other

BALER

### Part B - Inspection of Waste Tire Dealer, Generator, Hauler and End-Use Facility

#### V A HAULING AND MANIFEST REQUIREMENTS

- PRC § 42951 - Waste Tire Hauler Registration and Transport of Tires
- PRC § 42953 - Contracts with Registered Waste Tire Haulers
- PRC § 42956 - Registration/Decal in Vehicle
- 14 CCR § 18459 - Responsible Entities Complying with Manifesting Requirements
- 14 CCR § 18459.1 - Tire Program ID Number from CalRecycle
- 14 CCR § 18459.2.1 - Submittal of Comprehensive Trip Logs within 90 days
- 14 CCR § 18459.3 - Retention of Comprehensive Trip Logs for 3 years
- 14 CCR § 18460.2 - Manifest System Requirements for Registered Waste Tire Haulers
- 14 CCR § 18461 - Manifest System Requirements for Waste Tire End-Use Facilities
- 14 CCR § 18462 - Manifest System Requirements for Tire Dealers or Waste Tire Generators
- Other: §

#### ENFORCEMENT STATUS

Notice Of Violation  Extension

Compliance Deadline

Date  /  /

(Required for NOV or EXT)

Referred / CalRecycle Enforcement

In Compliance - No Violations

Comments

INSPECTION TO DETERMINE COMPLIANCE. TIRES ARE CUT AND LOADED INTO TRAILERS FOR SHIPMENT TO BAJA CA. DURING INSPECTION THERE WERE 2 TRAILER FULL + CLOSED WAITING FOR PICK UP THAT HAD

Inspection Form Included:

Comments Included:

Business Rep Signature

Phone Number

805-256-5820

Inspector's Signature

Phone Number

62081

ESM-11/05/07-3-0003



# Waste Tire Survey & Inspection Report

## Inspection Form - Page 2

State of California  
 CIVMS 152 (New 04/94)  
 California Integrated Waste Management Board



BLUE OR BLACK INK PEN

**Part C - Facility Information**

**Business Profile**

TPID -  
 Site Suffix: 1642979-01  
 SWIS  
 Number: - - -

**Inspection Details**

Inspection  
 Report  
 Number: I1-1211105  
 Inspection Number on the associated Survey form (Page 1)  
 Photos Taken  Yes  No

**Property Owner**

**Exempt Business Type (Fill if applicable)**

PRC § 42823.5 - Cement Manufacturing Plant with written verification that the facility qualifies for exemption

**Excluded Business Types (Fill if applicable)**

- PRC § 42808 - Permitted Solid Waste Facility (Landfill, Transfer Station)
- 14 CCR § 18420 (a) (2) - Agricultural < 5,000 tires incapable of holding water & used for bumpers or ballast
- 14 CCR § 18420 (a) (4) - Tire retreading facility with no more than 3,000 waste tires on premises
- 14 CCR § 18420 (a) (6) - Auto dismantler storing no more than 1,500 waste tires for less than 90 days
- 14 CCR § 18420 (a) (7) & (e) - Tire dealer storing no more than 1,500 waste tires for 90 days

**Permitted Regulatory Status (Fill one)**

- Permitted  Exempt
  - Excluded  Unpermitted
- Facility Type (Fill one)**
- Major WTF (> 5,000 Tires)
  - Minor WTF (500 - 4,999 Tires)

**Part D - Inspection of Waste Tire Facility**

**Permit Requirements**

- PRC § 42824 - Major Waste Tire Facility Permit
- PRC § 42834 - Minor Waste Tire Facility Permit
- PRC § 42850(a) - Complies with Terms of Permit
- 14 CCR § 18420(a) - Applicable for Permit
- 14 CCR § 18423 - Filing Application for Permit
- 14 CCR § 18432 - Operations Plan
- 14 CCR § 18433 - Emergency Response Plan

**Recordkeeping Requirement**

- 14 CCR § 18447 - Records Available
- 14 CCR § 17381 - Fire Prevention Measures
  - (a) Communication Equipment  (c) Water Supply
  - (b) Fire Equipment  (d) Other Requirements

**14 CCR § 17382 - Site Security**

- (a) Signs  (b) Site Attendant  (c) Access

**14 CCR § 17383(a) - Vector Control**

- (1) Impermeable Barrier  (2) Approved Vector Plan

**14 CCR § 17384 - Storage of Waste Tires Outdoors**

- (a) Storage Units
- (b) Fire Lanes
- (c) Fire District Requirements
- (d) Drainage
- (e) Slope/Grade
- (f) Siting (New Facilities)
- (g) Rim Removal
- (h) Protection from Pyrolytic Oil Runoff

**14 CCR § 17385 - Indoor Storage**

Facility Compliance with NFPA 231D-1989

**Comments**

1800 WT WASTE TIRE. THERE WAS 1 OTHER TRAILER WILL APPROX 1000 WT'S (SERGIO GAVE US THIS INFO REGARDING CONTENTS OF TRAILERS) COMBINED WITH TIRES IN SIDE BUILDING THERE WERE OVER 5,000 WASTE TIRES. FACILITIES W/ OVER 5,000 WASTE TIRE REQUIRE A WASTE TIRE FACILITY PERMIT. DO NOT STORE OR ACCUMULATE MORE THAN 499 WASTE OR USED TIRES UNTIL A PERMIT



# Waste Tire Survey & Inspection Report Comments Form

State of California  
CIVMS 123 (Near 0464)  
California Integrated Waste Management Board



BLUE OR BLACK INK PEN

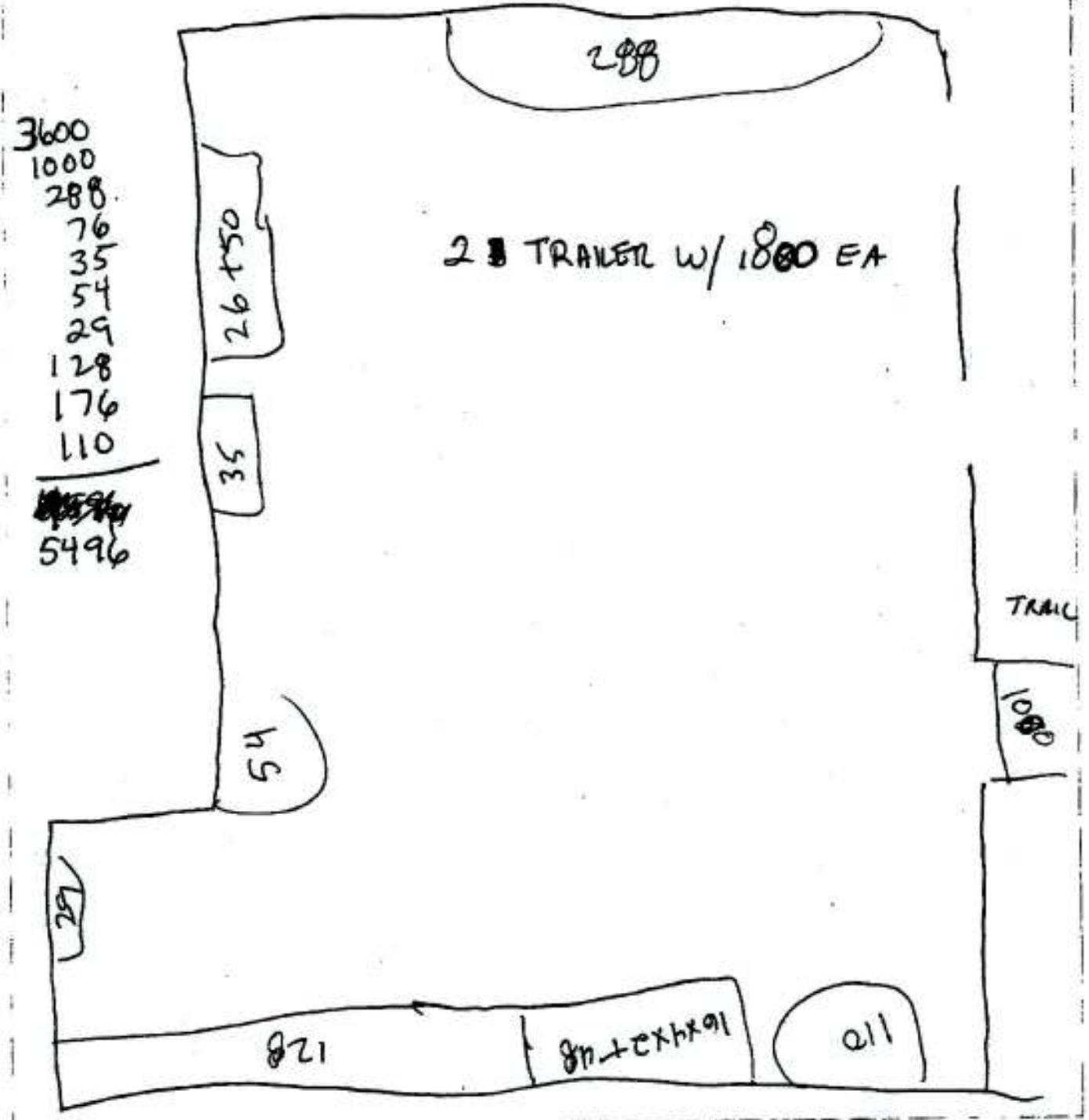
### Business Profile

TPID -  
Site Suffix: 1642979-01

### Inspection Details

Inspection Report Number: I 1-1211105  
*Inspection Number on the associated Survey form (Page 1)*

### Comments



# Waste Tire Survey & Inspection Report Comments Form

State of California  
CWMSR 103 (Rev 8/88)  
California Integrated Waste Management Board



BLUE OR BLACK INK PEN

**Business Profile**

TPID -  
Site Suffix:

1642979-01

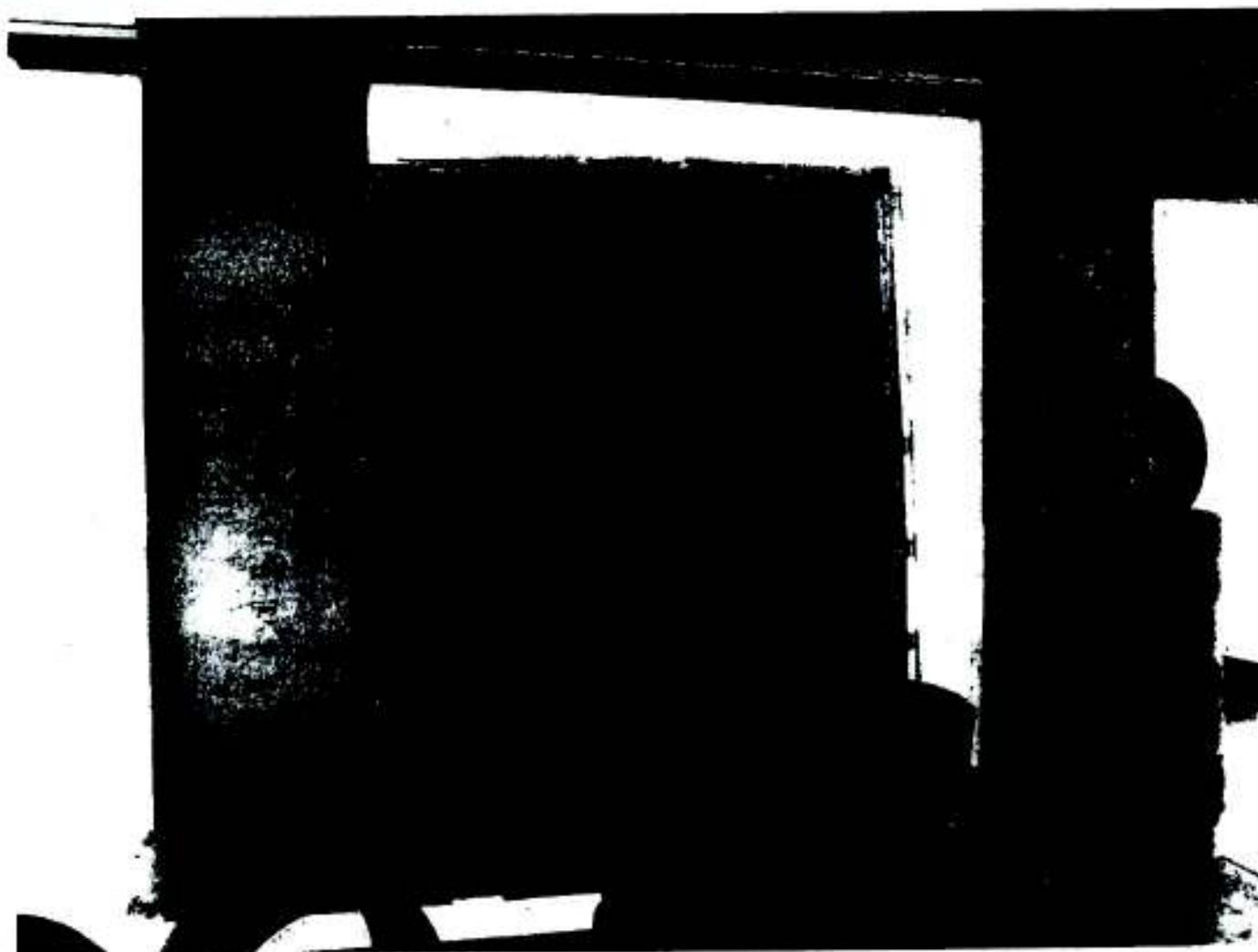
**Inspection Details**

Inspection  
Report  
Number:

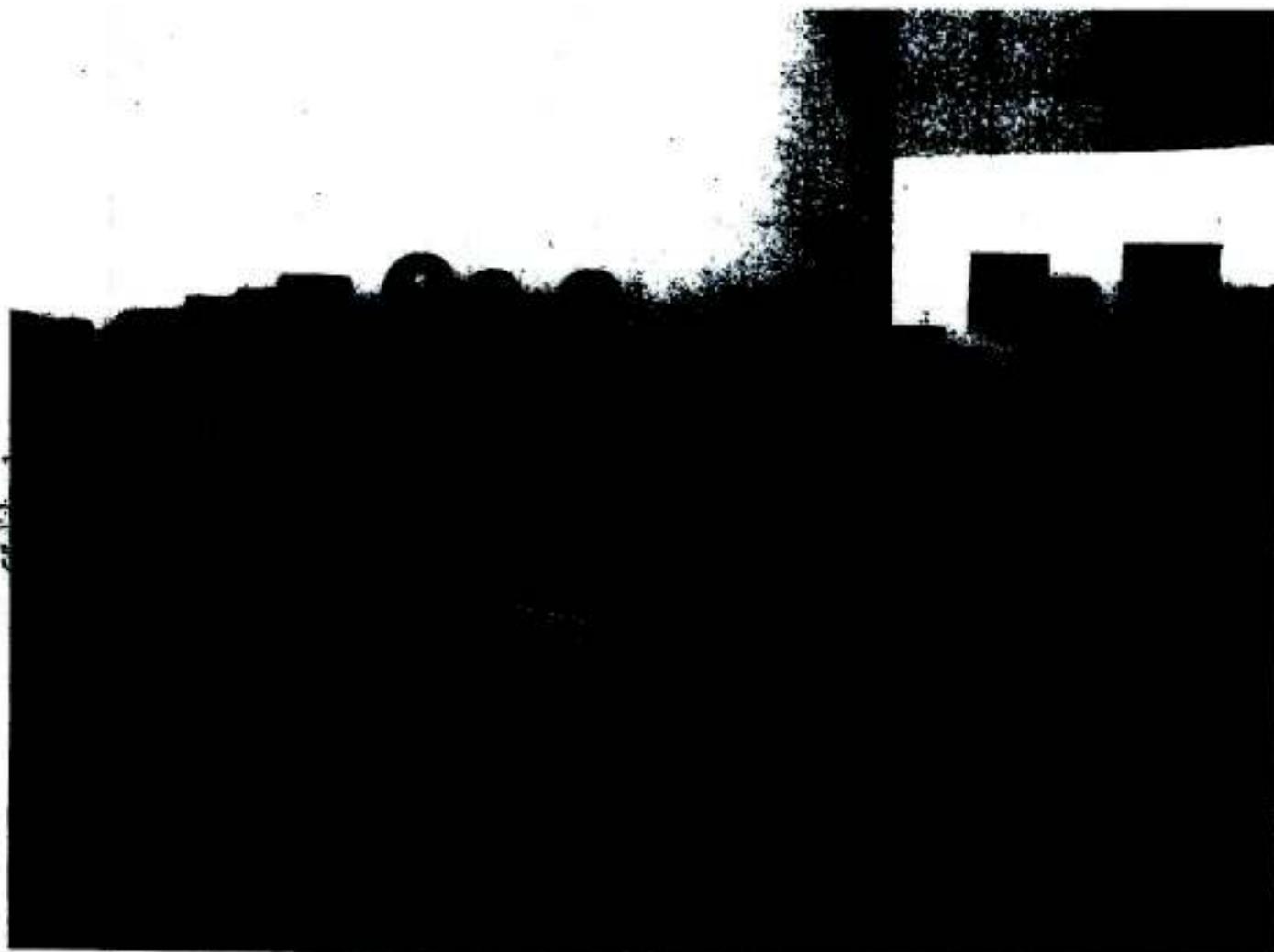
I 1-1211105  
Inspection Number on the associated Survey form (Page 1)

**Comments**

IN OBTAINED FROM CAL RECYCLE.



View to south of trailer being loaded.



View to north west.



**APPENDIX B**

**APPLICABLE CALIFORNIA STATUTE AND REGULATIONS**

## APPENDIX B

### PUBLIC RESOURCES CODE

#### **§ Section 42824. Transporting Waste Tires to an Unpermitted Major Waste Tire Facility**

On and after September 1, 1994, it is unlawful to direct or transport waste tires to a major waste tire facility or to accept waste tires at a major waste tire facility unless the operator has obtained a major waste tire facility permit.

#### **§ Section 42834. Transporting Waste Tires to an Unpermitted Minor Waste Tire Facility**

On and after July 1, 1994, it is unlawful to direct or transport waste tires to a minor waste tire facility or to accept waste tires at a minor waste tire facility unless the operator has obtained a major waste tire facility permit.

#### **§ Section 42850. Complies with Terms of Permit**

(a) Any person who negligently violates any provision of this chapter, or any permit, rule, regulation, standard, or requirement issued or adopted pursuant to this chapter, is liable for civil penalty of not less than five hundred dollars (\$500) or more than five thousand dollars (\$5,000), for each violation of a separate provision or, for continuing violations, for each day that the violation continues.

#### **§ Section 42953. Contracts With Registered Waste Tire Haulers**

Any person who gives, contracts, or arranges with another person to transport waste or used tires shall utilize only a person holding a valid waste and used tire hauler registration from the board, unless the hauler is exempt as specific in Section 42954.

### **TITLE 14, DIVISION 7, CHAPTER 3, Minimum Standards for Solid Waste Handling and Disposal**

#### **Article 5.5. Section 17351. Fire Prevention Measures.**

(a) Communication equipment shall be maintained at all facilities, if they are staffed by an attendant, to ensure that the site operator can contact local fire protection authorities in the event of fire.

(b) Adequate equipment to aid in the control of fires must be provided and maintained at the facility at all times. At a minimum the following items shall be maintained on site and in working order at all times:

- (1) One (1) dry chemical fire extinguisher;
- (2) One (1) two and one-half gallon water extinguisher;
- (3) One (1) pike pole or comparable pole at least 10 feet in length to separate burning from nonburning tires; and
- (4) One (1) round point and one (1) square point shovel.
- (5) One (1) dry chemical fire extinguisher with a minimum rating of 4A:40BC shall be carried on each piece of fuel-powered equipment used to handle waste tires;

(c) An adequate water supply shall be available for use by the local fire authority. The water supply shall be capable of delivering at least 1000 gallons per minute for a duration of at least three hours and at least 2000 gallons per minute for a duration of at least three hours if the sum of altered plus whole waste tires exceeds 10,000.

(d) All of the requirements of subsections (b) and (c) shall apply unless the local fire authority having jurisdiction over a particular facility determines that a different requirement is necessary or

## APPENDIX B

adequate to meet the intent of these regulations for fire control and the protection of life and property. This may include the availability of earth moving equipment or other approved means to control the tire fire. Any change in, or any new, local fire authority requirements that affect the requirements in this Article shall be reported to the Board by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to Board concurrence at the time of issuance or renewal of the permit.

### **Article 5.5. Section 17352. Facility Access and Security.**

- (a) Signs--for facilities open to the public a sign shall be posted at the facility entrance stating the name of the operator, operating hours, and site rules.
- (b) Attendant--An attendant shall be present when the facility is open for business if the facility receives tires from persons other than the operator of the facility.
- (c) Access--An access road to the facility must be maintained passable for emergency equipment and vector control vehicles at all times. Unauthorized access must be strictly controlled.

### **Article 5.5. Section 17353. Vector Control Measures.**

- (a) All waste tires shall be stored in a manner which prevents the breeding and harborage of mosquitoes, rodents, and other vectors by any of the following means:
  - (1) Cover with impermeable barriers other than soil to prevent entry or accumulation of precipitation; or
  - (2) Use of treatments or methods to prevent or eliminate vector breeding as necessary, provided the control program is approved as appropriate and effective by the local vector control authority, if such authority exists. If no local vector control authority exists, the local Environmental Health Department or other local agency with authority over vector control shall approve the vector control plan. Any control program approved by the local vector control authority shall be subject to Board concurrence at the time of issuance or renewal of the waste tire facility permit.

### **Article 5.5. Section 17354. Storage of Waste Tires Outdoors.**

- (a) Except as provided in subsection (c) waste tires shall be restricted to individual piles, which include stacks and racks of tires that do not exceed 5,000 square feet of contiguous area. Any pile shall not exceed 50,000 cubic feet in volume nor 10 feet in height. Piles shall not exceed 6 feet in height when within 20 feet of any property line or perimeter fencing. Waste tires shall not be located within 10 feet of any property line or perimeter fencing. The minimum distance between waste tire piles and between waste tire piles and structures that are located either on-site or off-site shall be as specified in Table I.
- (b) Except as provided in subsection (c) waste tires shall be separated from vegetation and other potentially flammable materials by no less than 40 feet. Accessible fire lanes with a minimum width as specified in Table I shall be provided between tire storage units. Fire lanes shall be kept free of flammable or combustible material and vegetation. Access to fire lane(s) for emergency vehicles must be unobstructed at all times. Open flames, blow torches, or highly flammable materials, including but not limited to, tire inner tubes, are prohibited within 40 feet of a waste tire pile.

## APPENDIX B

Length of Exposed Face (Ft.)	Tire Storage Pile Height (Ft.)		
	6	8	10
25	50	56	62
50	66	75	84
100	84	100	116
150	99	117	135
200	111	130	149
250	118	140	162

(c) All of the requirements in subsections (a) and (b) shall apply to the storage of waste tires unless, for any particular requirement, the local fire authority having jurisdiction over a particular facility determines that a different requirement is necessary or adequate to meet the intent of these regulations for the prevention of fire and the protection of life and property. Any change in, or any new, local fire authority requirements that affect the requirements in this Article shall be reported to the Board by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to Board concurrence at the time of issuance or renewal of the permit.

(d) Surface water drainage shall be directed around and away from the waste tire storage area.

(e) Waste tires at existing waste tire facilities shall not be stored on surfaces with grades that will interfere with firefighting equipment or personnel unless mitigation measures have been approved in writing by the local fire authority, or a fire safety engineer registered by the State of California. Measures established by a fire safety engineer shall be subject to approval by the local fire authority.

(f) New waste tire facilities shall not:

- (1) Be sited in any area where they may be subjected to immersion in water during a 100-year storm unless the operator demonstrates to the Board that the facility will be designed and operated so as to prevent waste tires from migrating off site; or
- (2) Be located on sites with grades or other physical features that will interfere with firefighting equipment or personnel.

(g) Tires must be removed from rims immediately upon arrival at the facility.

(h) The site shall be designed and constructed to provide protection to bodies of water from runoff of pyrolytic oil resulting from a potential tire fire.

## APPENDIX B

### **TITLE 14, DIVISION 7, CHAPTER 6, Permitting of Waste Tire Facilities and Waste Tire Hauler Registration and Tire Manifests**

#### **Article 1. Section 18420. Applicability.**

(a) The operator of a waste tire facility shall acquire a waste tire facility permit in accordance with the requirements of this Chapter and PRC section 42808, unless any of the following conditions exist:

(1) The waste tires are stored or disposed at a permitted solid waste disposal facility. The permit of the solid waste facility shall be revised pursuant to Public Resources Code (PRC) section 44014 and shall conform to the requirements of Division 7, Chapter 3, Article 5.5.

(2) The facility is using fewer than 5,000 waste tires for agricultural purposes and the waste tires have been rendered incapable of holding accumulations of water.

(3) The facility is storing fewer than 500 waste tires.

(4) The facility is a tire treading business and not more than 3,000 waste tires are kept on the premises.

(5) (Reserved)

(6) The facility is an automobile dismantler, as defined in Sections 220 and 221 of the Vehicle Code, who stores waste tires on the premises of the auto dismantler for less than 90 days if not more than 1,500 waste tires are ever accumulated on the dismantler's premises.

(7) The facility is a tire dealer who stores waste tires on the dealer's premises for less than 90 days if not more than 1,500 waste tires are ever accumulated on the dealer's premises.

(b) For purposes of determining the applicability of this chapter 6, altered waste tires shall be counted as passenger tire equivalents (PTE).

(c) (Reserved)

(d) For the purposes of Chapter 6, Articles 2 through 7 and Articles 9, 10 and 11 apply to operators and/or businesses described under Chapter 6, Article 1.

(e) A "used tire dealer" is only authorized to lawfully accept used or waste tires without a waste tire facility permit if the used tire dealer is in compliance with Section 17225.820, Article 4.1, Chapter 3 and has fewer than 1500 waste tires in accordance with Section 42808(c).

#### **Article 2. Section 18423. Filing of Application**

(a) Every operator of a new or existing major or minor waste tire facility shall submit to the Board a completed original and two (2) copies of the waste tire facility permit application, as specified in Article 4 of this Chapter.

(b) Upon receipt of the application, the Board shall mark the application package with the date of receipt. Within 30 days of receipt, the Board shall examine the application package to determine whether it meets the requirements contained in this chapter and either accept the application as complete or reject the application. If the Board finds the application meets the requirements, the application shall be accepted as complete. If the Board determines that the application does not conform to the applicable requirements, it shall notify the applicant in writing enumerating the grounds for rejection.

## APPENDIX B

### **Article 4. Section 18432. Operation Plan**

(a) The Operation Plan, as required by 18431(b) shall demonstrate conformance with the technical standards contained in 14 CCR, Division 7, Chapter 3, Article 5.5.

(b) The operator shall file amendments to the Operation Plan whenever necessary to keep the information contained in it current.

### **Article 4. Section 18433. Emergency Response Plan**

(a) The operator of the waste tire facility shall maintain a copy of the Emergency Response Plan at the facility. At the time of permit issuance the approved Emergency Response Plan shall be forwarded to the local fire authority by the permittee. The plan shall be revised as necessary to reflect any changes in the operations of the waste tire facility or requirements of the local fire authority. The local fire authority and the Board shall be notified of any changes to the plan within 30 days of the revision.

(b) The operator of the facility shall immediately notify the Board in the event of a fire or other emergency if that emergency has potential significant off-site effects. Within 30 days of any such emergency, the operator shall submit to the Board a written report describing the cause(s) of the emergency, the results of actions taken, and an analysis of the success or failure of these actions.

### **Article 7. Section 18447. Retention of Records**

Copies of all records required to be kept under this Chapter shall be retained by the operator for three (3) years at the place of business and shall be made available at the site during normal business hours for inspection and photocopy by any representative of the Board or any individual authorized by the Board.

### **Article 8.5. Section 18459.2.1. Submittal of the Comprehensive Trip Log, Manifest Form, Tire Trip Log, Retreader Trip Log, and Electronic Reporting to the Board**

As provided in this section, the Comprehensive Trip Log, or Manifest Form and Tire Trip Log, or Retreader Trip Log shall be submitted to the CIWMB by the waste tire generator, waste tire hauler or Retreader as specified in (a), (b), (c), or (d).

(a)(1) If the waste tire hauler chooses to use the Manifest form, the waste tire generator shall submit the completed original Manifest Form to the Board within ninety (90) days of the load shipment. The Manifest Form and Tire Trip Log shall be in the waste tire hauler's possession while transporting used or waste tires. The Manifest Form and the Tire Trip Log shall be shown upon demand to any representative of the Board, any officer of the California Highway Patrol, any peace officer, as defined in Section 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Board.

(2) If the waste tire hauler chooses to use the Tire Trip Log, the waste tire hauler shall submit the completed original Tire Trip Log to the Board within ninety (90) days of the load shipment.

(3) The Manifest Form and Tire Trip Log shall not be used after December 31, 2005.

(b) On or before January 1, 2006, the waste tire hauler shall submit a copy of the completed Comprehensive Trip Log to the Board within ninety (90) days of the load shipment. The Comprehensive Trip Log shall be in the waste tire hauler's possession while transporting used or waste tires. The Comprehensive Trip Log shall be shown upon demand to any representative of the Board, any officer of the California Highway Patrol, any peace officer, as defined in Section 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Board.

## APPENDIX B

(c) If the waste or used tire is a tire casing being shipped for inspection, retreading, or recapping and is being transported by a Retreader, the waste tire generator may substitute an invoice for the required manifest form provided by the Retreader. The invoice shall contain the date of the transaction, the name of the customer and address, the Tire Program Identification Number of the generator or end use facility, the name of the retreader and address, the quantity of tire casings shipped. A copy of the invoice and Retreader Trip Log shall be in the Retreader's possession while transporting the tire casings. The copy of the invoice and Retreader Trip Log shall be shown upon demand to any representative of the Board, any officer of the California Highway Patrol, any peace officer, as defined in Section 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Board.

(1) The Retreader shall submit the completed Retreader Trip Log to the Board within ninety (90) days of the load shipment.

(d) If approved by the Board pursuant to Public Resources Code Section 42961.5, any person that is subject to the requirements set forth in above (a), (b), or (c) may substitute their own functionally equivalent form, once approved by the Board, in lieu of the Board required form and submit an electronic report within ninety (90) days of the load shipment to the Board, in lieu of submitting the required form. The electronic report shall include all information required to be on the Comprehensive Trip Log, Retreader Trip Log, or Manifest and Tire Trip Log forms.

**DECLARATION OF SERVICE BY CERTIFIED MAIL**

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Case Name: In the Matter of: OTAY MESA WEST 69 LLC, PROPERTY OWNER AND VICTOR LIONG, CALIFORNIA TIRE RECOVERY, LLC, OPERATORS:

TPID NO: 1642979, AGENCY NO: 2012-011012-CAO.

I declare:

I am employed by the Waste Evaluation and Enforcement Branch of the Compliance and Enforcement Division of the Department of Resources Recycling & Recovery (CalRecycle). I am 18 years of age or older and not a party to this matter. I am familiar with the business practices of CalRecycle for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Compliance and Enforcement Division of CalRecycle is deposited with the United States Postal Service that same day in the ordinary course of business. On March 23, 2012; I served the attached **CLEAN UP AND ABATEMENT ORDER**, by placing a copy in a sealed envelope with certified mail delivery postage thereon to be fully prepaid, in the internal mail collection system at the CalRecycle, addressed as follows:

CSC-Lawyers Incorporating Service, Agent for Service of Process for:

OTAY MESA WEST 69 LLC.  
2730 Gateway Oaks Drive, Suite 100  
Sacramento, CA 95833

Certified Mail Tracking Number  
7004 1160 0002 0466 1048

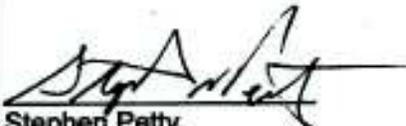
VICTOR LIONG, OPERATOR and Agent for Service of Process for:

CALIFORNIA TIRE RECOVERY, LLC  
6987 Calle De Linea, Suite # 107  
San Diego, CA 92154

Certified Mail Tracking Number  
7004 1160 0002 0466 1055

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on the 23<sup>rd</sup> day of March, 2012 at Sacramento, California.

  
Stephen Petty  
Declarant