



## DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

Certified Mail  
7004 1160 0002 0466 2427

August 20, 2012

TPID: 1613321-01

Javier Guevara Medina  
c/o Lakin Tire West  
15305 Spring Ave  
Santa Fe Springs, CA 90670  
Attn: Carol Casarez

RE: STIPULATED DECISION AND ORDER

Dear Mr. Medina,

The Department of Resources Recycling and Recovery (CalRecycle) is in receipt of the CDRRR Stipulation, Decision, and Order, 2012-000385-PEN which you have signed and returned. We appreciate your payment of \$50.00, your timely response and your willingness to resolve this issue through this Streamlined Penalty Process. Enclosed you will find the Stipulation, Decision, and Order signed by the Acting Deputy Director. The Received payment, combined with terms set forth in the attached Stipulation, Decision, and Order, constitutes full resolution of this matter.

In the future, should you have any questions or concerns about the waste tire hauler or manifesting requirements, please call our toll free number at (866) 896-0600 so that we can assist you and minimize the potential for future enforcement action.

If you have any other questions concerning this Stipulation, Decision, and Order, please call Keith Cambridge, Supervisor of the Tire Hauler Compliance Section at (916)341-6422.

Sincerely,

Mark de Bie, Deputy Director  
Waste Permitting, Compliance and Mitigation Division  
California Department of Resources Recycling and Recovery





**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:** 2012-000385-PEN

**RESPONDENT:** Javier Guevara Medina  
Las Palmas #310, Frac. Acapulco  
Ensenada, Mexico

**PUBLIC RESOURCES CODE (PRC) SECTION VIOLATED:** §42961.5 (c) (2)

**TITLE 14, CALIFORNIA CODE OF REGULATIONS (CCR) VIOLATED:** N/A

**DESCRIPTION OF VIOLATIONS:**

On or after May 31, 2012, **Javier Guevara Medina** failed to submit a manifest form to CDRRR in violation of PRC Section 42961.5 (c) (2).

Pursuant to PRC §42961.5 (c) (2) Any waste and used tire hauler hauling waste or used tires for offsite handling, altering, storage, disposal, or any combination thereof, shall complete the California Uniform Waste and Used Tire Manifest as required by CDRRR. The waste and used tire hauler shall provide the manifest to the waste or used tire facility operator who receives the waste or used tires for handling, altering, storage, disposal, or any combination thereof. Each waste and used tire hauler shall submit to CDRRR, on a quarterly schedule, a legible copy of each manifest. The copy submitted to CDRRR shall contain the signatures of the generator and the facility operator.

**DATE(S) OF VIOLATION:** On or after May 31, 2012

**STIPULATION DUE DATE:** 15 DAYS FROM THE DATE OF SERVICE

**TOTAL MONETARY PENALTY:** \$50      **NUMBER OF COUNTS:** 1

**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: 08-16-2012 Signature: [Handwritten Signature]

Printed Name: Javier Alvarez Medina

Job Title: Clonera Transparencia

Name and Address of Business Entity: Las Palmeras #310 Frecc. Aeropuerto Ciénega B.C.

Any DBAs: \_\_\_\_\_

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**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: 08-16-12 20 [Handwritten Signature]

Mark de Bie, Deputy Director  
Waste Permitting, Compliance and Mitigation Division  
California Department of Resources Recycling and Recovery

AUG 20 2012  
MS

**APPROVAL TRANSMITTAL**

CalRecycle 85 (Revised 1/2010)

This transmittal MUST be on all correspondence that are reviewed/approved /signed by Dept Head, Executive Director or Chief Deputy Director

\*\* Please use the following colored folders: Red Folders for signature - Blue Folder for review \*\*

Name of Document: **Waste Tire Hauler Streamlined Penalty Letter (Phase Three)**

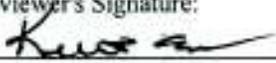
Javier Guevara Medina

c/o Lakin Tire West Attn: Attn: Carol Casarez

**NOTE: It is the originator's responsibility to enter each reviewer's name and title.**

<b>ORIGINATOR</b>	Name: <b>Stephen Petty</b>	Division/Section: <b>WPCMD/WEEB</b>	Date: <b>8-16-12</b>	Phone: <b>341-6691</b>
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**ACTION:** Please review the attached document, complete and sign the appropriate Reviewer Block and forward to the next Reviewer. If you are the last or only Reviewer, please return to the Originator. PLEASE DO NOT RETAIN FOR MORE THAN 2 WORKING DAYS.

<b>1st Reviewer/ Tire Hauler Compliance Unit Supervisor</b>	Name: <b>Keith Cambridge</b>	Manager:
Comments: ___ Approved <input checked="" type="checkbox"/> Approved with noted changes ___ Disapproved ___		
Secretary: Stephen Petty		
Reviewer's Signature: 	Date 8/20/12	Phone: 341-6422

<b>2nd Reviewer/WPCMD Deputy Director</b>	Name: <b>Mark de Bie</b>	Date Rec'd: ___ Log in ID & Initial: ___
Comments: ___ Approved <input checked="" type="checkbox"/> Approved with noted changes ___ Disapproved ___		
Secretary:		
Reviewer's Signature: 	Date: 8/20/12	Phone: 341-6209

<b>3rd Reviewer/</b>	Name:	Date Rec'd: ___ Log in ID & Initial: ___
Comments: ___ Approved ___ Approved with noted changes ___ Disapproved ___		
Secretary:		
Reviewer's Signature:	Date:	Phone:

<b>4th Reviewer/</b>	Name:	Date Rec'd: ___ Log in ID & Initial: ___	
Comments: ___      Approved ___      Approved with noted changes ___      Disapproved ___			
Secretary: _____			
Reviewer's Signature:		Date:	Phone:

<b>5th Reviewer/</b>	Name:	Date Rec'd: ___ Log in ID & Initial: ___	
Comments: ___      Approved ___      Approved with noted changes ___      Disapproved ___			
Secretary: _____			
Reviewer's Signature:		Date:	Phone:

<b>6th Reviewer/</b>	Name:	Date Rec'd: ___ Log in ID & Initial: ___	
Comments: ___      Approved ___      Approved with noted changes ___      Disapproved ___			
Secretary: _____			
Reviewer's Signature:		Date:	Phone:

<b>7th Reviewer/</b>	Name:	Date Rec'd: ___ Log in ID & Initial: ___	
Comments: ___      Approved ___      Approved with noted changes ___      Disapproved ___			
Secretary: _____			
Reviewer's Signature:		Date:	Phone: