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BEFORE THE
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

IN THE MATTER OF:

CB Tyres Recycling Resources, LLC,
PROPERTY OWNER AND OPERATOR,

TPID NO: 1000418-01

ASSESSOR PARCEL NO: 1167-121-03-P001

Cleanup and Abatement

Order: No. 2016-011058-CAO

Public Resources Code section 42845

TO: CB Tyres Recycling Resources, LLC, Property Owner/Operator,

PLEASE TAKE NOTICE THAT:

You are the Operator of a waste tire facility known as CB Tyres Recycling Resources, LLC and/or Property Owner of property located at 21801 Barton Road Suite D, Grand Terrace, CA 92313-4402, Assessor Parcel Number (1167-121-03-P001) (this site), upon which CB Tyres Recycling Resources, LLC is located, as those terms are defined in Public Resources Code sections 42804, 42805 and 42808. The Property Profile for this site is attached hereto and incorporated herein by reference as Appendix A-1. The Public Resources Code (PRC) and California Code of Regulations (CCR) references are attached hereto and incorporated herein by reference as Appendix B.

The Department of Resources Recycling and Recovery (CalRecycle) is authorized to act as the enforcement agency for waste tire facilities, pursuant to PRC section 42800 et seq., and is the enforcement agency for this waste tire site.

This site meets the definition of a major waste tire facility as that term is defined by PRC section 42808(b). A major waste tire facility is "a waste tire facility where, at any time, 5,000 or more waste tires are or will be stored, stockpiled, accumulated, or discarded."

This site is legally allowed to store up to 499 waste tires without first obtaining a waste tire facility permit from CalRecycle, or up to 4,999 waste tires if the site qualifies as a waste tire

1 collection location pursuant to Title 14 of the California Code of Regulations (CCR) sections
2 18420.1 and 18431.2.

3 To date, you have not acquired a major waste tire facility permit for this site nor have
4 you satisfied the requirements to be considered a waste tire collection location.

5 CalRecycle inspected this site on April 20, 2016, as documented in Inspection Report
6 IW-1038033, which is attached hereto and incorporated herein by reference as Appendix A-2,
7 and determined that approximately 26,667 waste tires were being stored on site.

8 CalRecycle issued a Notice of Violation to you as the Property Owner/Operator on
9 April 20, 2016, as documented in the above inspection report, requiring that all waste tires be
10 removed from the ground and either properly disposed offsite or stored onsite in enclosed
11 trailers or containers and that no more than 4,999 waste tires be stored on the site by
12 May 13, 2016.

13 CalRecycle re-inspected this site on May 23, 2016, as documented in Inspection Report
14 IW-1039563, which is attached hereto and incorporated herein by reference as Appendix A-2,
15 and determined that waste tires were still being stored in piles on the ground and
16 approximately 31,089 waste tires remained on site.

17 CalRecycle re-inspected this site on August 11, 2016, as documented in Inspection
18 Report IW-1042939, which is attached hereto and incorporated herein by reference as
19 Appendix A-2, and determined that waste tires were still being stored in piles on the ground
20 and approximately 16,267 waste tires remained on site.

21 You are currently in violation of California Waste Tire Laws as prescribed by PRC
22 section 42800 et seq. and Title 14 CCR section 18420 et seq.

23 Specifically, you are in violation of:

- 24 • PRC section 42824 for accepting and storing more than 4,999 waste tires on this
25 site without first obtaining a major waste tire facility permit.
- 26 • Title 14 CCR section 18420(a), which requires every Operator of a major or
27 minor Waste Tire Facility that stores, stockpiles, accumulates or discards waste
28 tires to acquire a waste tire facility permit.

- 1 • Title 14 CCR section 18423, which requires every Operator of a major or minor
- 2 waste tire facility to submit a completed waste tire facility permit application.
- 3 • Title 14 CCR section 18420.1, for storing waste tires outside of closed, locked
- 4 containers while not actively unloading, soring, or loading, and for storing more
- 5 than 4,999 waste tires total onsite (inside and outside of containers).

6 CalRecycle is authorized to order waste tire facility Operators who are in violation of the
7 aforementioned laws to clean up waste tire piles, abate the effects thereof, or otherwise
8 remedy a case of threatened pollution or nuisance, pursuant to PRC section 42845(a).

9 Where there is no identified "Operator", the Operator shall mean the "Owner", pursuant
10 to Title 14 of the CCR, section 17225.755.

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

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

18 Reduce and maintain the number of waste and used tires on this site to zero, in
19 accordance with the following:

- 20 1. Remove all waste and used tires from this site within 30 days from the date of
21 service of this Cleanup and Abatement Order (hereafter, "CAO" or "Order"), in
22 accordance with the following:
 - 23 a. CalRecycle must approve the destination of all waste and used tires removed
24 from this site to ensure that a registered waste tire hauler legally transports
25 them to an approved facility. All waste and used tires removed from this site
26 shall be transported to this approved destination.
 - 27 b. All waste tires (whole and/or passenger tire equivalents, pursuant to Title 14
28 of the CCR, section 17225.770) and used tires shall be removed by a

1 registered waste tire hauler, as prescribed by PRC section 42950 et seq. A
2 completed Comprehensive Trip Log (CTL), CalRecycle 203, form must
3 accompany and document each load of waste and used tires removed and a
4 copy of each completed CTL form must be submitted to CalRecycle within 30
5 days from the date of service of this CAO. Failure to comply with this
6 provision may result in penalties, pursuant to PRC sections 42961.5 and
7 42962.

- 8 2. At no time may you accept additional waste or used tires at this site for 60 days
9 from the date of service of this CAO.
- 10 3. Following the 60-day period described in paragraph 2, you shall only store,
11 stockpile, or accumulate 499 waste tires at this site, unless you obtain a waste
12 tire facility permit or meet the requirements set forth in Title 14 of the California
13 Code of Regulations for any excluded facility, including collection location.
- 14 4. You shall reimburse CalRecycle for the cost of all inspections conducted within a
15 year from the issuance of this CAO that are in addition to those inspections
16 required by statute or regulation. The cost shall include, but shall not be limited
17 to, expenses incurred for preparing for the inspection, traveling to and from the
18 inspection, and writing up the inspection reports, at the same amounts that are
19 determined annually and approved for enforcement agents to be charged by
20 CalRecycle.

21 **PLEASE TAKE FURTHER NOTICE THAT PURSUANT TO PRC SECTIONS 42843,**
22 **42845, 42850 and 42850.1:**

23 If you do not complete or comply with the above actions ordered by this CAO by the
24 specified dates, CalRecycle may petition the superior court for injunctive relief to enforce this
25 CAO, and for civil penalties in the amount of not less than \$500 and up to \$10,000 for each
26 violation of a separate provision or, for continuing violations, for each day the violation
27 continues, pursuant to PRC sections 42845, 42850 and 42850.1. Civil penalties may be
28

1 imposed in a civil action or may be imposed administratively, pursuant to PRC section 42850
2 et seq.

3 If you do not complete or comply with the above actions ordered by this CAO by the
4 specified dates, CalRecycle may revoke, suspend, or deny a waste tire facility permit for a
5 period of up to three years, pursuant to the requirements set forth in PRC section 42843.

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

10 You have ten (10) days from the date of service of this order to file a petition with
11 CalRecycle raising any substantial issues that are appropriate for review. CalRecycle will
12 review the petition and respond within thirty (30) days from the date of receipt by CalRecycle.
13 Regardless of whether you file a petition, you must comply with this Order, as required by PRC
14 section 42845.

15 If you fail to remove the tires as required by this Order by the required date, CalRecycle
16 is authorized to expend available funds to perform any necessary cleanup, abatement or
17 remedial work, as set forth in PRC section 42845 et seq.

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

21 Moreover, funds so expended by CalRecycle constitute a lien upon the real property
22 owned by any responsible party that is subject to the remedial action, pursuant to PRC section
23 42847.5.

24 Nothing in this CAO shall constitute or be construed as a satisfaction or release from
25 liability for any conditions or claims arising as a result of yours or any other responsible party's
26 past, current or future operations acting as the Operator and/or Property Owner.

27 Notwithstanding compliance with the terms of this CAO, you may be required to take further
28 actions as are necessary to protect the public health, safety, or the environment.

1 CalRecycle shall not be liable for injuries or damages to persons or property resulting
2 from acts or omissions by you or any other responsible party acting as the Operator and/or
3 Property Owner, or related parties in carrying out activities pursuant to this CAO; nor shall
4 CalRecycle be held as a party to any contract entered into by you or any other responsible
5 party acting as Operator and/or Property Owner or their agent(s) in carrying out activities
6 pursuant to this CAO.

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

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

10 This CAO shall become effective as of the date signed below.

11 Each provision of this CAO shall remain effective and enforceable until stayed,
12 modified, or suspended by CalRecycle.

13 If you have any questions about this CAO, you may contact Billy Yos of my staff at (916)
14 341-6279.

15 Dated this 14th day of Sept 2016
16 DAY Month/Year

17
18 

19 _____
20 Georgianne Turner
21 Branch Chief
22 Waste Evaluation and Enforcement Branch
23 Department of Resources Recycling and Recovery
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APPENDIX A-1

PROPERTY PROFILE

Property Information Management System

San Bernardino County
Office of the Assessor



PROPERTY INFORMATION REPORT FOR PARCEL 1167-121-03-P001



Property Information

Property Address (Main Situs) Protected per CA. Govt. Code Sect. 6254.21
Protected per CA. Govt. Code Sect. 6254.21

Owner and Mailing Address CB TYRES RECYCLING RESOURCES LLC

Protected per CA. Govt. Code Sect. 6254.21
Protected per CA. Govt. Code Sect. 6254.21

Effective Date 05/29/2008

Parcel 116712103P001

Parcel Status ACTIVE

Parcel Type BUSINESS PROPERTY

Property ID

Tax Status ASSESSED BY COUNTY

Use Code MFG RUBBER

Land Access

Size

Land Type

District SAN BERNARDINO

Resp Group PERSONAL PROPERTY

Resp Unit MANUFACTURING & PROCESSING (BCC 1101 - 1406)

Current Owners

Name CB TYRES RECYCLING RESOURCES LLC

Document Numbers

R/I CORPORATION

% Int 100.0000000

Type BILLED OWNER

Acquisition Date 12/31/2007

Document Date 12/31/2007

Inactive Date NONE

No Legal Parcel or Tract Map Found

Legal Description

No Legal Reason for Change Found

No Active Homeowner's Exemptions Found



Property Information Management System

San Bernardino County
Office of the Assessor



OWNERSHIP HISTORY REPORT FOR PARCEL 1167-121-03-P001



Parcel 116712103P001
Parcel Status ACTIVE
Parcel Type BUSINESS PROPERTY
Property ID
Tax Status ASSESSED BY COUNTY
Use Code MFG RUBBER
Land Access
Size
Land Type

District SAN BERNARDINO
Resp Group PERSONAL PROPERTY
Resp Unit MANUFACTURING &
PROCESSING (BCC 1101 -
1406)

Ownership History

Owner Name: CB TYRES RECYCLING RESOURCES LLC

R/I CORPORATION	<u>Document Numbers</u>
% Int 100.0000000	
Type BILLED OWNER	
Acquisition Date 12/31/2007	
Document Date 12/31/2007	
Inactive Date NONE	

Owner Name: STRAVERS, RICHARD

R/I SOLE OWNER	<u>Document Numbers</u>
% Int 100.0000000	
Type BILLED OWNER	
Acquisition Date 12/31/2006	
Document Date 12/31/2006	
Inactive Date 12/30/2007	



Owner Name: TYRERS RECYCLING RESOURCES LLC

R/I DOING BUSINESS AS	Document Numbers
% Int 0.0000000	
Type INFORMATIONAL OWNER	
Acquisition Date 12/31/2006	
Document Date 12/31/2006	
Inactive Date 12/30/2007	

Owner Name: CB TYRERS

R/I DOING BUSINESS AS	Document Numbers
% Int 0.0000000	
Type INFORMATIONAL OWNER	
Acquisition Date 12/31/2006	
Document Date 12/31/2006	
Inactive Date 12/30/2006	

Owner Name: UNKNOWN OWNER

R/I UNKNOWN	Document Numbers
% Int 100.0000000	
Type BILLED OWNER	
Acquisition Date 12/31/2006	
Document Date 12/31/2006	
Inactive Date 12/30/2006	

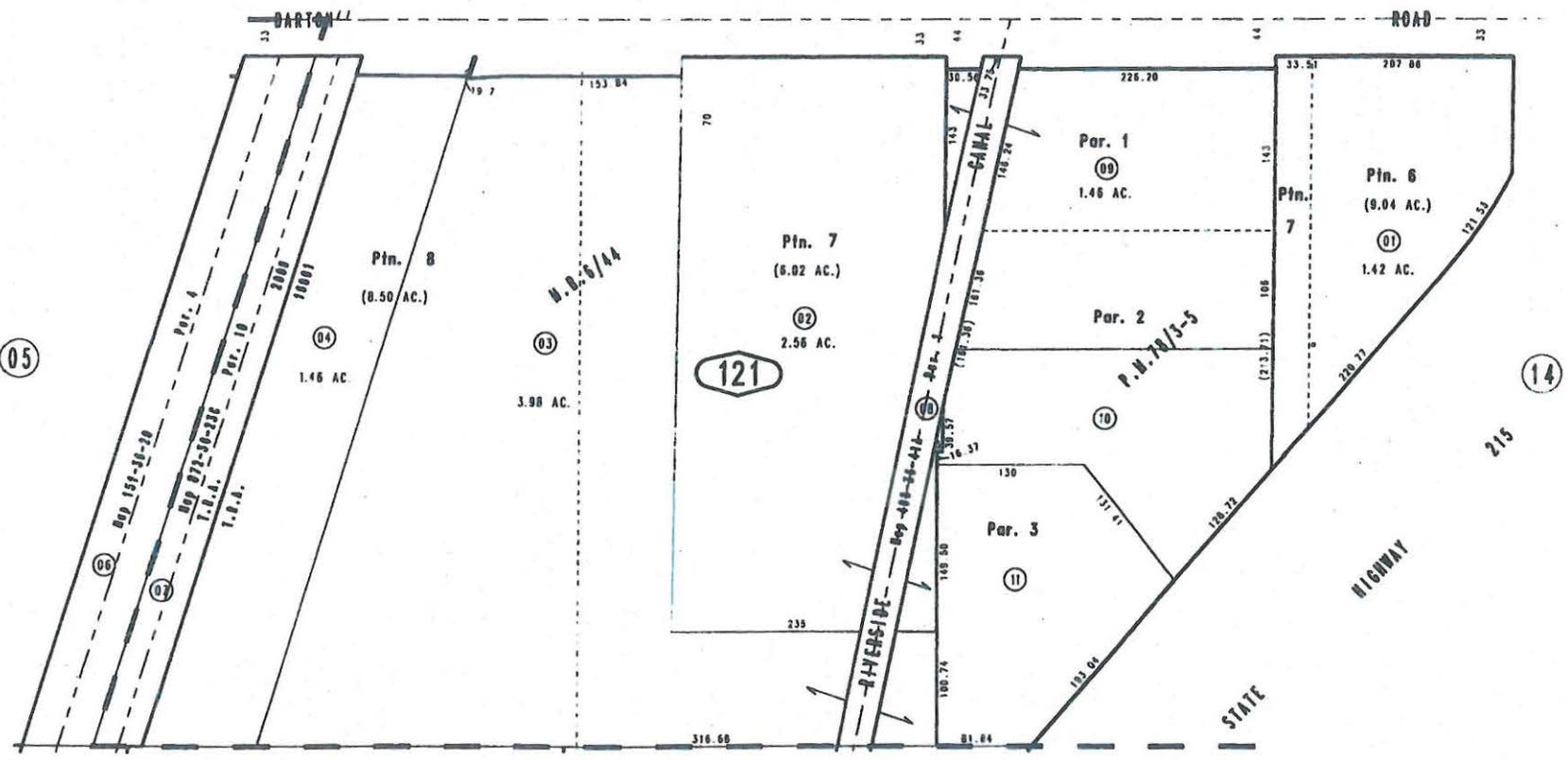
Owner Name: ABLE CHARTER BUS CO INC

R/I CORPORATION	Document Numbers
% Int 0.0000000	9300000000000
Type BILLED OWNER	
Acquisition Date 03/01/1993	
Document Date 03/01/1993	
Inactive Date 12/30/2006	

Ptn. East Riverside Land Company, M.B. 6/44

City of Colton 1167 - 12
City of Grand Terrace
Tax Rate Area
2009,16001

0275
22



Order No 5855, P.V. 18/3-3

Ptn. N.W.1/4, Sec. 5
T.2S., R.4W

Assessor's Map
Book 1167 Page 12

REVISED
02/11/10 KC
03/10/10 CW
06/12/12 BU

1178

Whelan Jones Company Chicago 60614

APPENDIX A-2

INSPECTION REPORTS AND PHOTOS



Survey & Inspection Report - Survey Form (Page 1)

CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418)

State of California CalRecycle 181

Part A - Survey

Inspection Form Number: IW-1038033

Inspected On: 4/20/2016 11:00AM - 03:00PM

TPID - Site Suffix: 1000418-01

Facility Address

CB Tyres Recycling Resources, LLC (Collection Site)

21801 Barton Rd Ste D

Grand Terrace, CA 92313-4402

Local Identifier:

Business Rep: Tony Tejada

Title: Vice President

Tire Count: 26667

Latitude:

Longitude:

Inspection Type: Routine

Referral Type:

Inspected By: 00-100 CalRecycle

Inspector: Billy Yos

Operational Status: Active

Tire Type: Passenger, Truck

Business Role: Generator, Hauler, End-Use

Storage Type: Outdoor, Container

Business Type: Collection

Business Type Other:

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

Enforcement Status: Notice of Violation

Compliance Deadline: 5/13/2016

Comments:

CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418)

****Tire piles can be observed at CB Tyres' property from the train tracks overpass heading east on Barton Rd.****

CalRecycle inspectors Harley Thompson and I (Billy Yos) met with Tony Tejada, Vice President, in the office located on the premises. We both identified ourselves to Mr. Tejada with our inspector badge and provided him with our business cards and explained the reason for our visit that day. Mr. Tejada granted us with the consent to conduct a waste tire program inspection at this business. I requested to review three years' worth of Comprehensive Trip Log (CTL) receipts as a generator and CTL forms as a hauler for this business. All of the manifest receipts and forms were neatly in order by date. After reviewing the receipts and forms, I observed no errors at the time of this inspection and all CTLs observed were in CalRecycle's Waste Tire Management System (WTMS) database. In addition, all three years' worth of CTLs were retained at the place of business as required by Title 14, California Code of Regulations (CCR) §18459.3 - Retention of Manifest Forms and Tire Trip Logs for 3 years.

The Tire Program Identification (TPID) certificate was posted in the office in a conspicuous place at the business as required by Title 14 CCR § 18459.1 (a)(b)(c) - Tire Program ID Number from CalRecycle.

Registered waste tire hauling vehicles that were on the premises during the time of inspection all had the appropriate decal and registration certificates in the vehicles as required by Public Resources Code (PRC) § 42956 - Registration/Decal in Vehicle.

Please fill out the Waste Tire Facility Permit Exclusion Notification form completely and mail it back to the address listed on the back of the exclusion form or scan and email it back to billy.yos@calrecycle.ca.gov. Here is the link to the form:

<http://www.calrecycle.ca.gov/tires/Forms/Facilities/CalRecycle811.pdf>

This inspection report will be emailed to Mr. Tejada at: cbtyres@yahoo.com

For further information regarding *CALIFORNIA WASTE TIRE LAWS & REGULATIONS*, please follow these links:

Tire Storage & Disposal

Standards: <http://www.calrecycle.ca.gov/tires/enforcement/StatutesRegs/Disposal.pdf>

Transportation of Waste & Used

Tires: <http://www.calrecycle.ca.gov/tires/enforcement/StatutesRegs/Transport.pdf>

Search for registered waste tire haulers in your area:

<http://www.calrecycle.ca.gov/Tires/Data/Organization/Search.aspx>

If you have any questions regarding this inspection report, please contact me at: (916) 341 - 6279 or at billy.yos@calrecycle.ca.gov



State of California CalRecycle 182

Part C - Facility Information

SWIS Number:

Inspection Number: IW-1038033

Photos Taken: Yes

Property Owner Information

Name:

Phone Number:

Mailing Address:

Facility Type:

Permitted Status: Unpermitted

Exempt/Excluded Business Type

Part D - Inspection of Waste Tire Facility

V PRC § 18420.1 Waste Tire Collection Location Requirements

Comments:

I asked Mr. Tejada why there were waste tires piled on the ground of his property. He stated that Mitsubishi Cement Corp (TPID: 1105855), their main disposal location, temporarily closed down their operation since February 2016 and accepted only a limited amount of loads of waste tires each day. Because of this, waste tires were backed up. I told Mr. Tejada that as a collection site, no tires should be on the ground unless the tires are temporarily placed on the ground during unloading, sorting, and loading otherwise, all tires are required to be placed in enclosed containers. In addition, I told Mr. Tejada about CalRecycle's proposed regulations and revisions to collection locations that would require collection locations to meet new and existing requirements in order to be considered as a collection location (please see the link to CalRecycle's Rulemaking webpage at the bottom of this report for further information and be sure to subscribe to the Waste Tire Rulemaking Listserv located in the webpage for updates to the proposed regulations).

Inspectors Thompson and I measured the loose tire pile located at the south end of the property. The measurement of the pile (in feet) was 150' L x 80' W x 10' H which calculated to be 53,333 tires less 50% for estimation due to the gradient of the pile (53,333 tires x .50 = 26,667 waste tires total). See attached – Comments form for full calculation. As a waste tire collection location, CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418) is in violation of Title 14 CCR § 18420.1 - Waste Tire Collection Location Requirements.

****CalRecycle will grant CB Tyres Recycling Resources, LLC a compliance date of May 13, 2016 to remove all waste tires from the ground and store them in enclosed containers and/or dispose of the tires properly. In addition, no more than 4,999 waste tires are allowed to be stored in trailers/containers on site.**

CalRecycle's Rulemaking webpage:

<http://www.calrecycle.ca.gov/Laws/Rulemaking/Collection/>

Subscribe to the Waste Tire Rulemaking Listserv:

<http://www.calrecycle.ca.gov/Listservs/Subscribe.aspx?ListID=97>

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

April 20, 2016 Inspection

Photo Log



Photo 1 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the north side of the tire pile facing south. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

April 20, 2016 Inspection

Photo Log

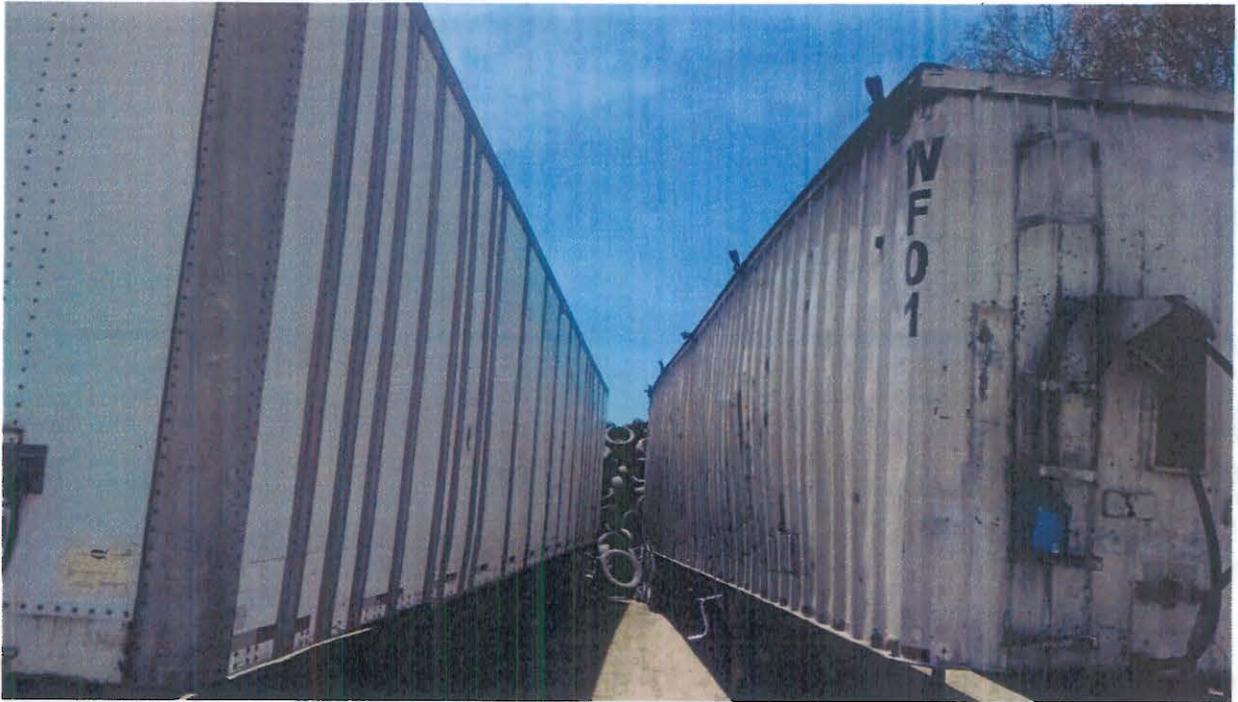


Photo 2 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the north side of the tire pile facing south. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)
TPID No.: 1000418
April 20, 2016 Inspection
Photo Log

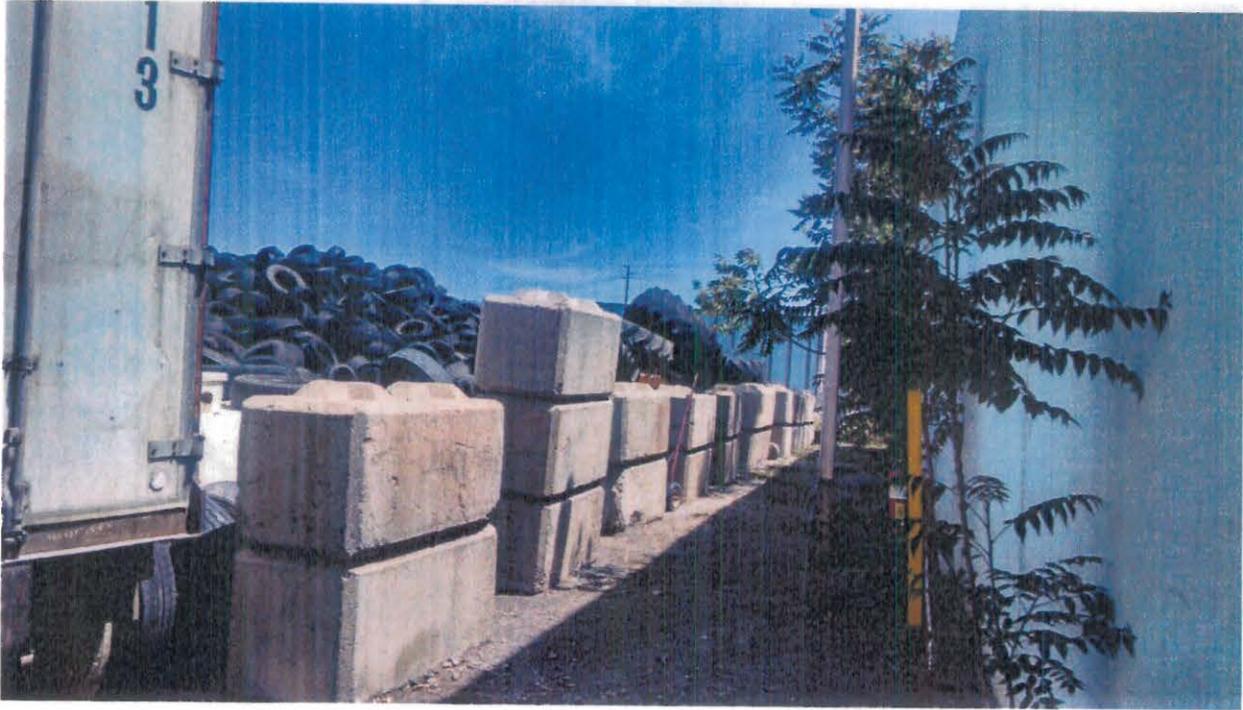


Photo 3 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the south west side of the tire pile facing north east. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

April 20, 2016 Inspection

Photo Log

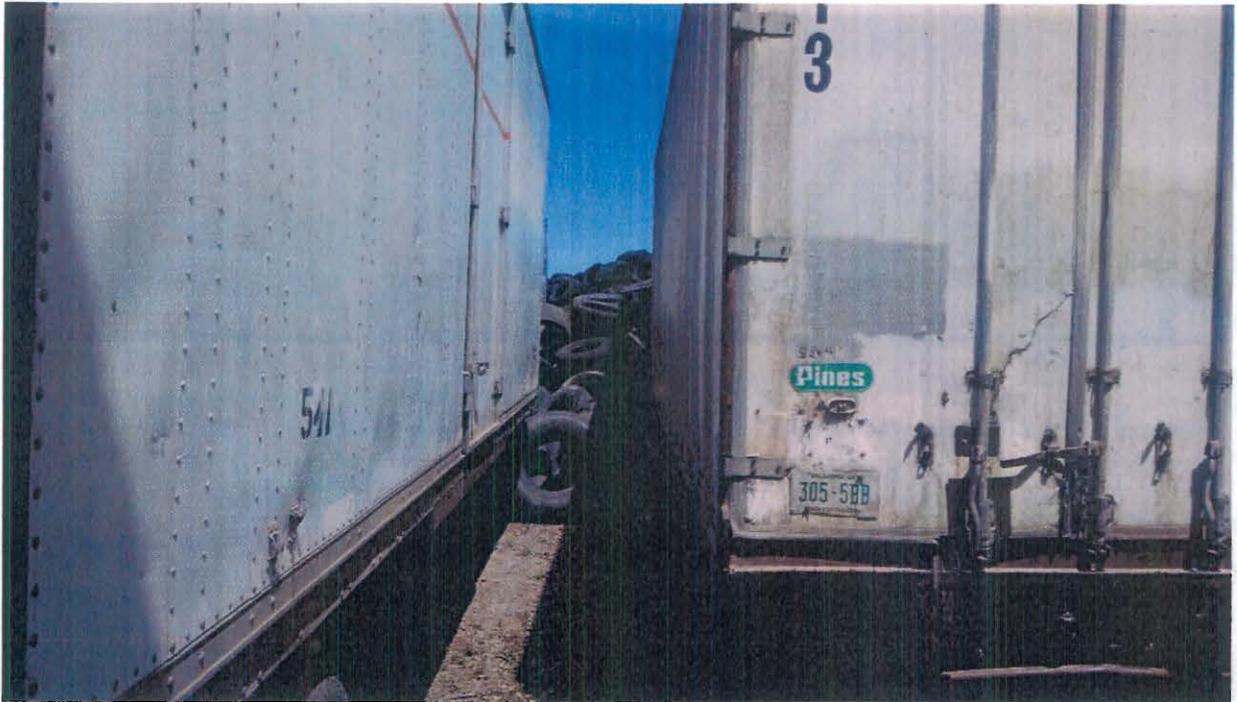


Photo 4 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the south side of the tire pile facing north. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

April 20, 2016 Inspection

Photo Log



Photo 5 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the south west side of the tire pile facing north east. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

April 20, 2016 Inspection

Photo Log

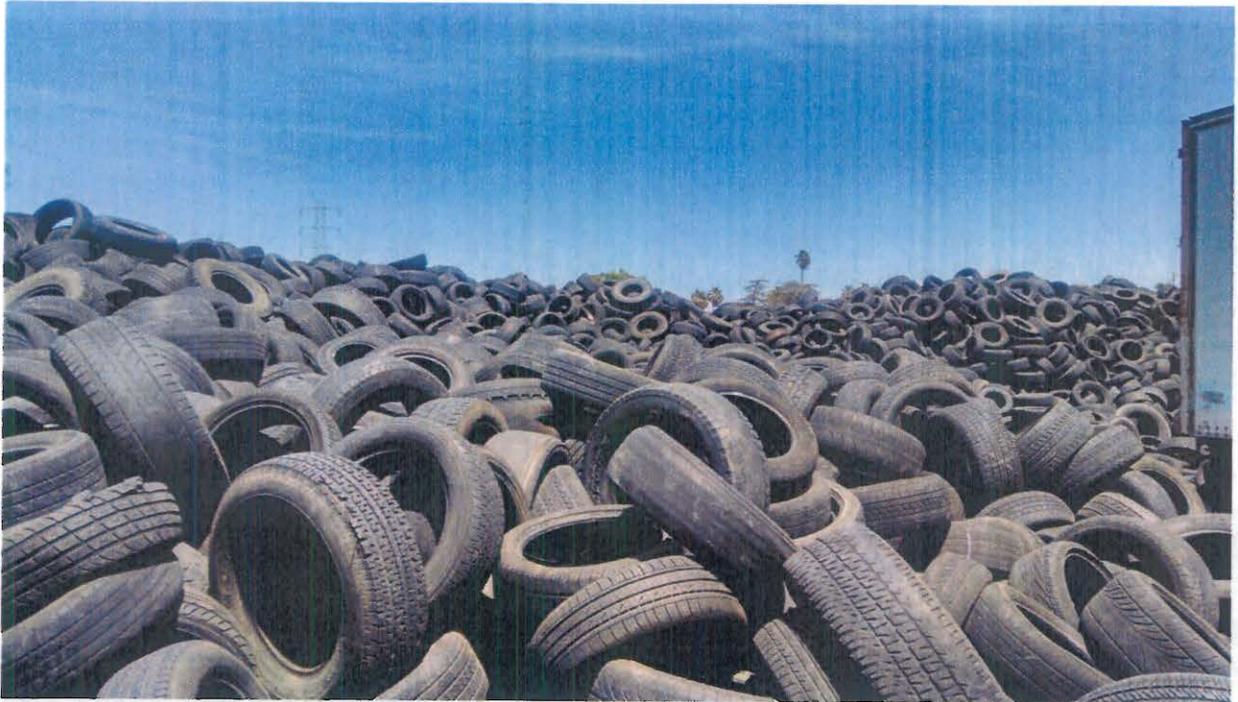


Photo 6 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the south side of the tire pile facing north. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

April 20, 2016 Inspection

Photo Log

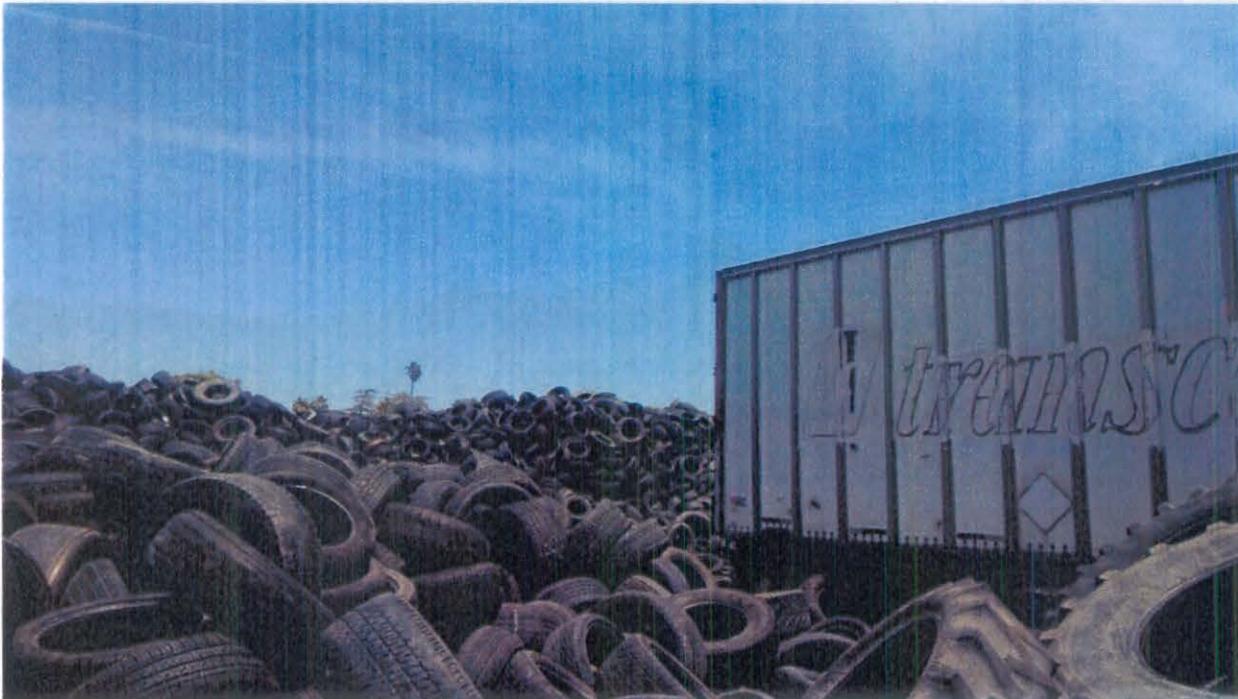


Photo 7 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the south side of the tire pile facing north. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

April 20, 2016 Inspection

Photo Log



Photo 8 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the south west side of the tire pile facing north east. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

April 20, 2016 Inspection

Photo Log

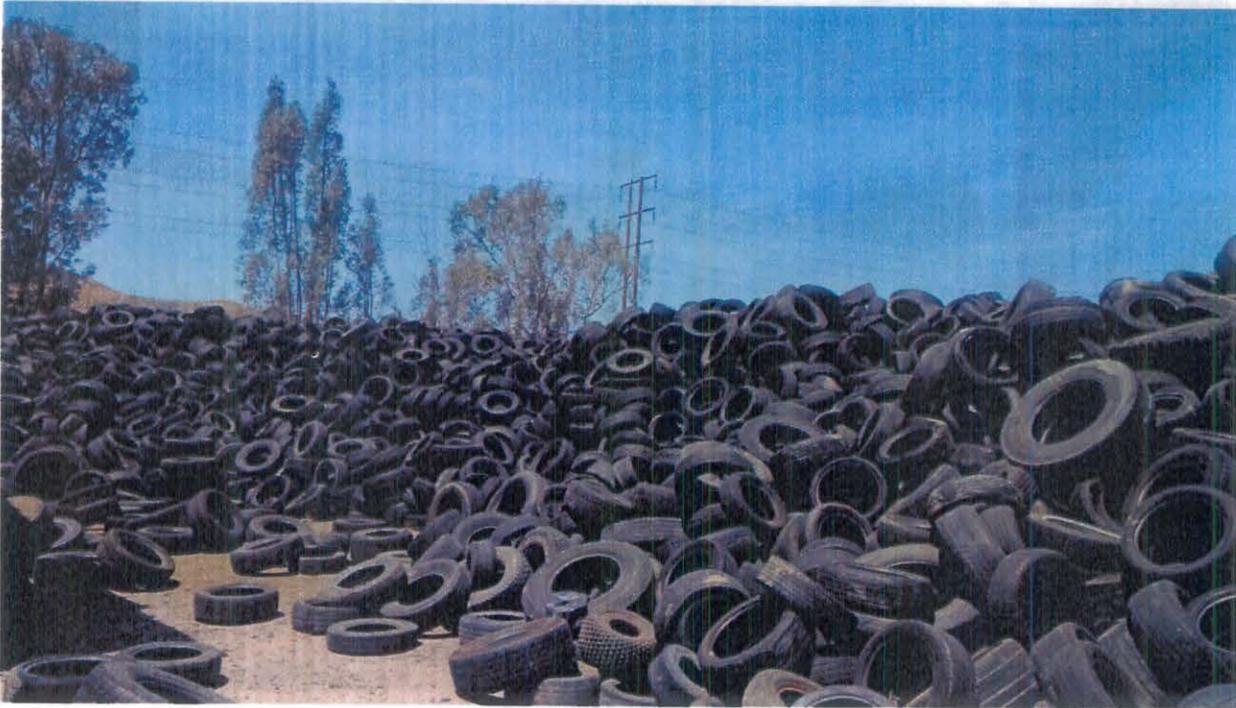


Photo 9 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the south east side of the tire pile facing north west. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)
TPID No.: 1000418
April 20, 2016 Inspection
Photo Log



Photo 10 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the west side of the tire pile facing east. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)
TPID No.: 1000418
April 20, 2016 Inspection
Photo Log



Photo 11 of 11

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on April 20, 2016.

Description: Photo shows the north side of the tire pile facing south. This tire pile had approximately 26,667 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

Waste Tire Survey & Inspection Report Comments Form

State of California
CWMB 193 (New 04/04)
California Integrated Waste Management Board

SURVEY REQUIRED

BLUE OR BLACK INK PEN

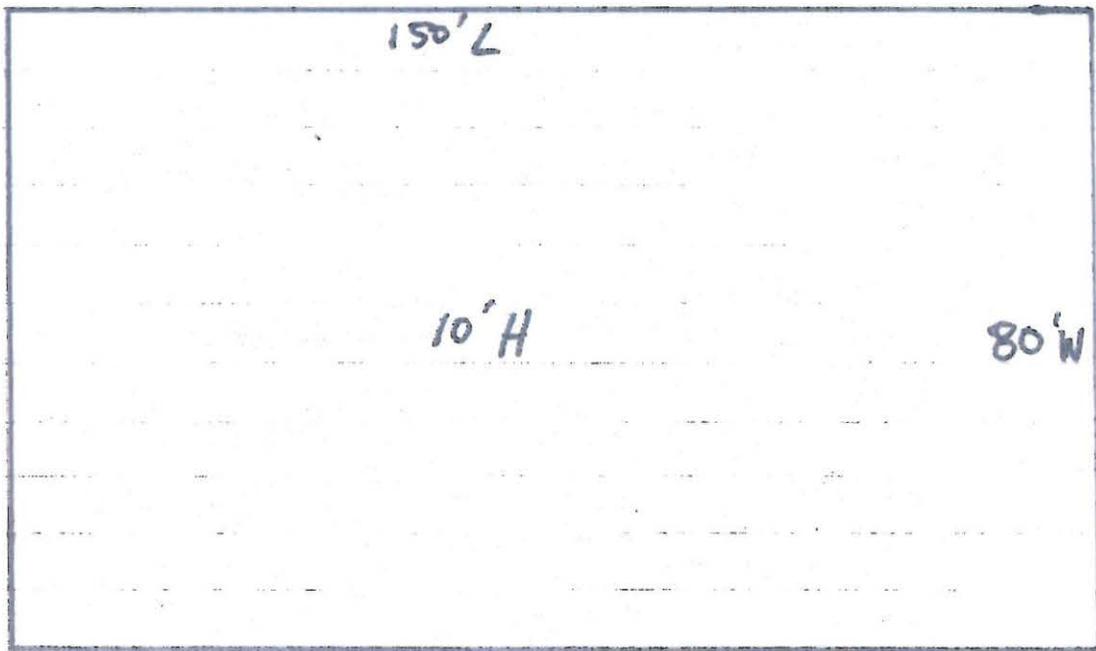
Business Profile	Inspection Details
MID- Site Suffix: 1000418-01	Inspection Report Number: IW-1038033 <i>Inspection Number on the associated Survey form (Page 1)</i>

Comments
Inspection Date: 4/20/16. Inspectors: Yos and Thompson

$$150' L \times 80' W \times 10' H = 120,000 \text{ ft}^3 = 4444.4 \text{ yd}^3 \times 12 \text{ loose tires/yd}^3 = 53,333 \text{ tires}$$

$$\frac{27 \text{ ft}^3}{\text{yd}^3}$$

$$53,333 \text{ tires} \times 0.50 = 26,667 \text{ tires}$$



Train Tracks

EXAMPLE 123

42408





Survey & Inspection Report - Survey Form (Page 1)

CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418)

State of California CalRecycle 181

Part A - Survey

Inspection Form Number: IW-1039563

Inspected On: 5/23/2016 08:30AM - 11:30AM

TPID - Site Suffix: 1000418-01

Facility Address

CB Tyres Recycling Resources, LLC (Collection Site)

21801 Barton Rd Ste D

Grand Terrace, CA 92313-4402

Local Identifier:

Business Rep: Mercedes Fermin

Title: Office Manager

Tire Count: 31089

Latitude:

Longitude:

Inspection Type: Re-inspection

Referral Type: CalRecycle

Inspected By: 00-100 CalRecycle

Inspector: Billy Yos

Operational Status: Active

Tire Type: Passenger, Truck, OTR

Business Role: Generator, Hauler, End-Use

Storage Type: Outdoor, Container

Business Type: Collection

Business Type Other:

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

Enforcement Status: Referred / CalRecycle Enforcement

Compliance Deadline:

Comments:

CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418)

*This is a re-inspection to a Notice of Violation (NOV) issued to CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418) on April 20, 2016.

See Inspection Form Page 2 for further details.



Survey & Inspection Report - Inspection Form (Page 2)

CB Tyres Recycling Resources, LLC (Collection Site) (TPID:1000418)

State of California CalRecycle 182

Part C - Facility Information

SWIS Number:

Inspection Number: IW-1039563

Photos Taken: Yes

Property Owner Information

Name: CB Tyres Recycling Resources LLC

Phone Number: 9093703700

Mailing Address: 21801 Barton Rd Ste D
GrandTerrace, CA 92313

Facility Type:

Permitted Status: Unpermitted

Exempt/Excluded Business Type

Part D - Inspection of Waste Tire Facility

V PRC § 18420.1 Waste Tire Collection Location Requirements

Comments:

CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418)

*Tire piles can be observed at CB Tyres property from the train tracks overpass heading east on Barton Rd.

*This is a re-inspection to a Notice of Violation (NOV) issued to CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418) on April 20, 2016.

I, CalRecycle inspector Billy Yos met with Mercedes Fermin, Office Manager, in the office located on the premises. I identified myself to Ms. Fermin with my inspector badge and provided her with my business card and explained the reason for my visit that day. I asked her if Tony Tejada, Vice President, was available that day. She stated that Mr. Tejada was out of the office for the day. Ms. Fermin granted me consent to conduct a waste tire program re-inspection at this business and understood that I would be taking photos of the property which included the tire piles. This was a re-inspection to an NOV issued to CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418) on April 20, 2016 for violating Title 14 California Code of Regulations (CCR) § 18420.1 - Waste Tire Collection Location Requirements and was given a compliance deadline of May 13, 2016 to remove all waste tires from the ground and store them in enclosed containers and/or dispose of the tires properly. In addition, no more than 4,999 waste tires were allowed to be stored in trailers/containers on site. During the inspection on April 20, 2016, CalRecycle inspectors Harley Thompson and I measured the loose tire pile located at the south end of the property and calculated a total of 26,667 waste tires.

During the re-inspection on May 23, 2016, a total of 31,089 waste tires were calculated to be on the property (see attached Comments Form for full calculation of waste tires). According to CalRecycle's Waste Tire Management System (WTMS), manifest records show that CB Tyres was still allowing tires to be delivered to their business after the April 20, 2016 inspection date. On May 4, 2016, I emailed Mr. Tejada the contact for CalRecycle's Permits and Assistance South Unit, Dianne Ohiosumua to apply for a major waste tire facility permit to allow CB Tyres to have more than 4,999 tires. I spoke to Ms. Ohiosumua on June 2, 2016 on the phone and she indicated that CB Tyres had not yet applied for a major waste tire facility permit. At this point, a permit application will not be accepted by CalRecycle until CB Tyres brings down their total waste tires onsite to zero. CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418) will now be referred for further enforcement. Additionally, I contacted San Bernardino County Fire Prevention Bureau on June 3, 2016 regarding the violations at CB Tyres. A Hazmat Inspector from the City of Grand Terrace will follow up with their own inspection of the property.

CB Tyres Recycling Resources, LLC (Collection Site)
TPID No.: 1000418
May 23, 2016 Inspection
Photo Log

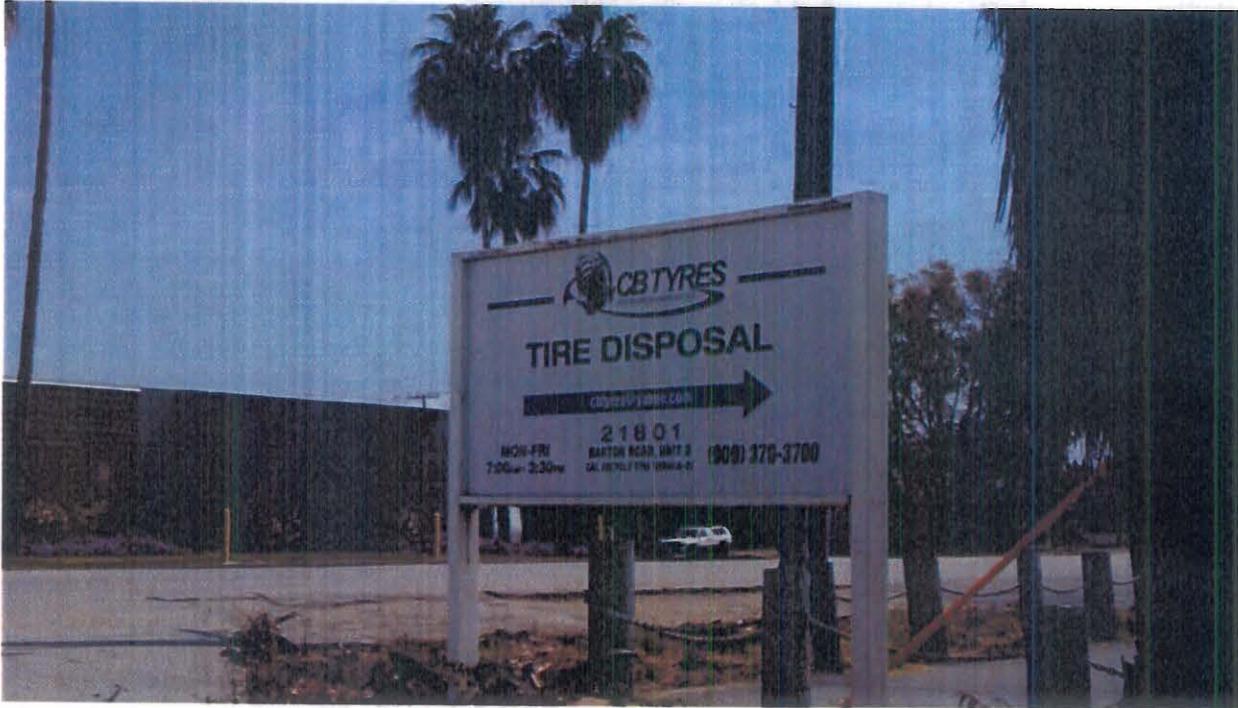


Photo 1 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows the business sign posted at the entrance of the business.

Note: This photo was taken at the north perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

May 23, 2016 Inspection

Photo Log

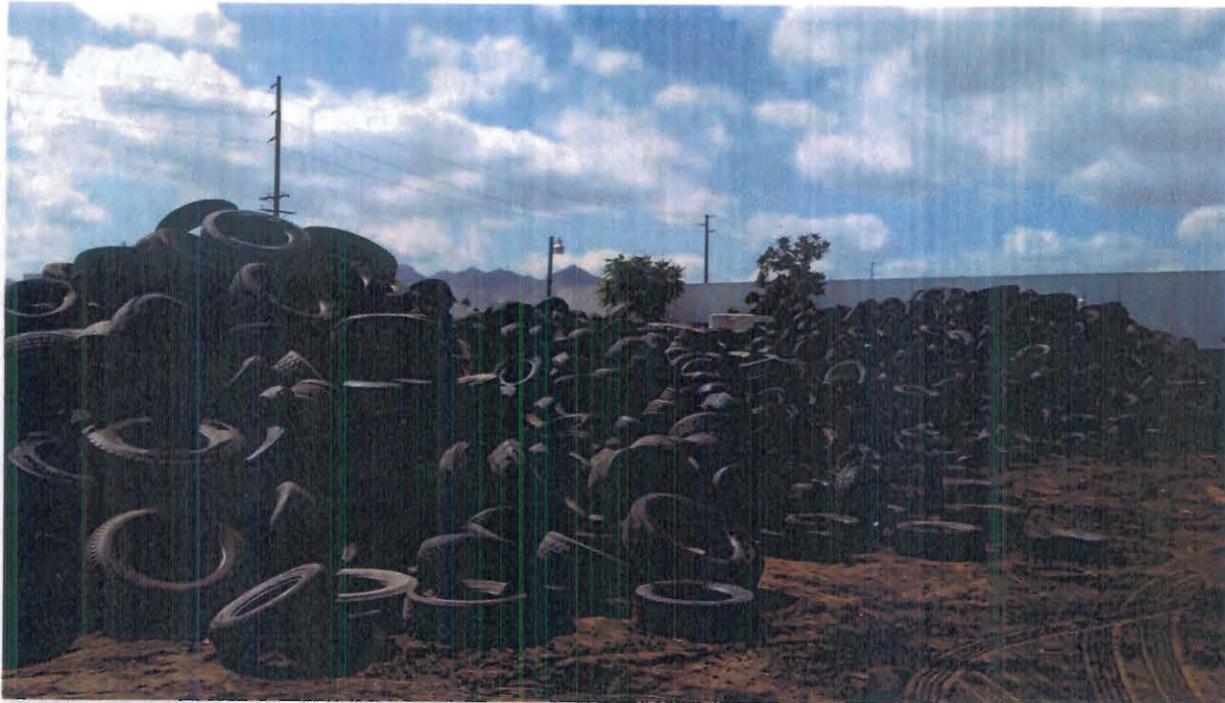


Photo 2 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows the north west side of tire pile B facing south east. This tire pile had approximately 1,555 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)
TPID No.: 1000418
May 23, 2016 Inspection
Photo Log



Photo 3 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows the north east side of tire pile A facing south west. This tire pile had approximately 18,666 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)
TPID No.: 1000418
May 23, 2016 Inspection
Photo Log



Photo 4 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows the north side of tire pile A facing south. This tire pile had approximately 18,666 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property. The trailers surrounding tire pile A are all empty.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

May 23, 2016 Inspection

Photo Log



Photo 5 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows the south side of tire pile A facing north. This tire pile had approximately 18,666 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property. Please note that tires must be removed from rims immediately upon arrival at the waste tire facility or solid waste facility. Tires temporarily attached to rims awaiting removal shall be stored separate from other waste tires pursuant to Title 14 California Code of Regulations (CCR) 17354 (i).

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

May 23, 2016 Inspection

Photo Log



Photo 6 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows the west side of OTR pile facing east. This tire pile had 150 OTRs individually counted.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

May 23, 2016 Inspection

Photo Log



Photo 7 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows the north side of tire pile B facing south. This tire pile had approximately 1,555 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

May 23, 2016 Inspection

Photo Log



Photo 8 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows the north west side of tire pile B (left) facing south east and north east side of tire pile A (right) facing south west. Tire pile B had approximately 1,555 PTE after a 50% reduction in the number of waste tires calculated. Tire pile A had approximately 18,666 PTE after a 50% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)
TPID No.: 1000418
May 23, 2016 Inspection
Photo Log



Photo 9 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows 28 feet trailer full of interlaced passenger tires. There were approximately 600 PTE in the trailer.

Note: This photo was taken at the north east perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

May 23, 2016 Inspection

Photo Log



Photo 10 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows 28 feet trailer with interlaced and loosely forklift tires. There were 150 forklift tires individually counted in the trailer.

Note: This photo was taken at the north east perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.: 1000418

May 23, 2016 Inspection

Photo Log



Photo 11 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows 53 feet trailer stacked full with truck tires. There were approximately 1,500 PTE in the trailer.

Note: This photo was taken at the north east perimeter of the property.

CB Tyres Recycling Resources, LLC (Collection Site)
TPID No.: 1000418
May 23, 2016 Inspection
Photo Log



Photo 12 of 12

CB Tyres Recycling Resources, LLC (Collection Site)

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on May 23, 2016.

Description: Photo shows a trailer hitch stacked full with passenger tires and additional tires on the ground. There were 80 PTE individually counted.

Note: This photo was taken at the north east perimeter of the property.

Waste Tire Survey & Inspection Report Comments Form

SURVEY REQUIRED

BLUE OR BLACK INK PEN

Business Profile

Site Suffix: 1000418-01

Inspection Details

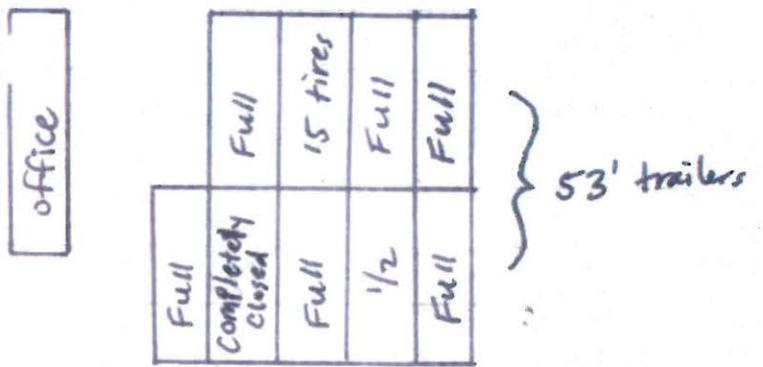
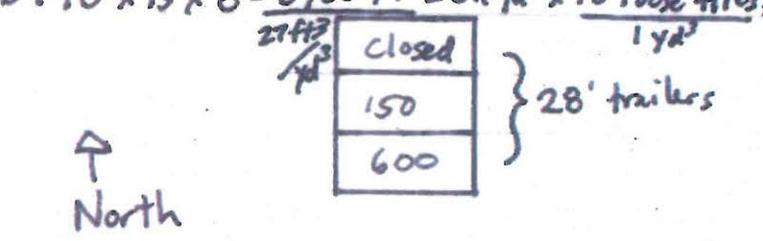
Inspection Report Number: IW-1039563
 Inspection Number on the associated Survey form (Page 1)

Comments

Inspection Date: 5/23/16. Inspector: Yos, CalRecycle

A: $120' \times 70' \times 10' = 84,000 \text{ ft}^3 = \frac{84,000 \text{ ft}^3}{27 \text{ ft}^3/\text{yd}^3} = 3,111 \text{ yd}^3 \times \frac{12 \text{ loose tires}}{1 \text{ yd}^3} = 37,333 \text{ tires} \times 0.50 = 18,666 \text{ tires}$

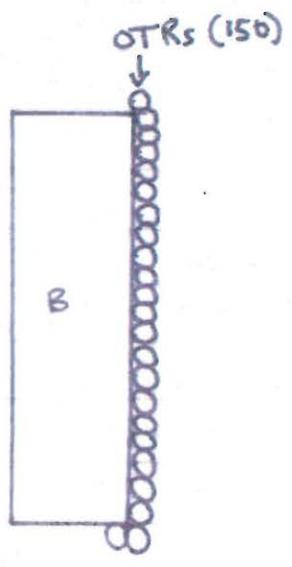
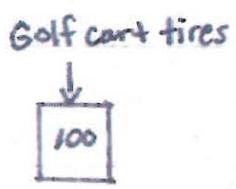
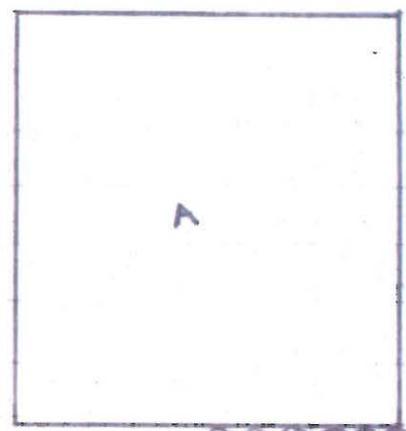
B: $70' \times 15' \times 8' = 8,400 \text{ ft}^3 = 311 \text{ yd}^3 \times \frac{10 \text{ loose tires}}{1 \text{ yd}^3} = 3,111 \text{ tires} \times 0.50 = 1,555 \text{ tires}$



6 Full 53' trailers x 1,500 tires = 9,000
 1 x 1/2 full trailer = 750
 1 x 15 tires = 15
 1 full 28' trailer interlaced x 600 = 600
 + 150

150 OTRs + 23 OTRs + 100 golf cart tires = 273
 Trailer Hitch = 80

Total waste tires onsite: 31,089





Survey & Inspection Report - Survey Form (Page 1)

CB Tyres Recycling Resources, LLC (Collection Site) (TPID: 1000418)

State of California CalRecycle 181

Part A - Survey

Inspection Form Number: IW-1042939

Inspected On: 8/11/2016 01:00PM - 02:05PM

TPID - Site Suffix: 1000418-01

Facility Address

CB Tyres Recycling Resources, LLC (Collection Site)

21801 Barton Rd Ste D

Grand Terrace, CA 92313-4402

Local Identifier:

Business Rep: Mercedes Fermin

Title: Office Manager

Tire Count: 16267

Latitude:

Longitude:

Inspection Type: Referral

Referral Type: CalRecycle

Inspected By: 00-100 CalRecycle

Inspector: Billy Yos

Operational Status: Active

Tire Type: Passenger, Truck, OTR

Business Role: Generator, Hauler, End-Use

Storage Type: Outdoor, Container

Business Type: Collection

Business Type Other:

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

Enforcement Status: Referred / CalRecycle Enforcement

Compliance Deadline:

Comments:

CB Tyres Recycling Resources, LLC (TPID: 1000418)

*Tire piles can be observed at CB Tyres property from the train tracks overpass heading east on Barton Rd.

*This was a CalRecycle Referral inspection to a Notice of Violation (NOV) issued to CB Tyres Recycling Resources, LLC (TPID: 1000418) on May 23, 2016 for violating Title 14, California Code of Regulations (14 CCR) section 18420.1. As a result of the referral, CalRecycle issued CB Tyres a Final Clean-Up Letter on July 18, 2016 notifying the business that their site no longer met the requirements of a collection location as defined by 14 CCR section 18420.1 and is currently unpermitted and legally allowed to only store up to 4,999 waste tires (see Attachment A). The letter also stated that if the aforementioned waste tire violations were not corrected by July 29, 2016, CalRecycle may issue a Cleanup and Abatement Order (CAO) to the Operator and Property Owner, Anthony Tejada which will require CB Tyres Recycling Resources, LLC to reduce the waste and used tire count down to zero and maintain it at zero for a specified period of time.

See Inspection Form (Page 2) for further details.



State of California CalRecycle 182

Part C - Facility Information

SWIS Number:

Inspection Number: IW-1042939

Photos Taken: Yes

Property Owner Information

Name: Anthony Tejada

Phone Number: 9093703700

Mailing Address: 21801 Barton Rd Ste D

GrandTerrace, CA 92313-4402

Facility Type:

Permitted Status: Unpermitted

Exempt/Excluded Business Type

Part D - Inspection of Waste Tire Facility

V PRC § 18420.1 Waste Tire Collection Location Requirements

Comments:

I, CalRecycle inspector Billy Yos met with Mercedes Fermin, Office Manager, in the office located on the premises. I identified myself to Ms. Fermin with my inspector badge and provided her with my business card and explained the reason for my visit that day. I asked her if Mr. Tejada, Vice President, was available to speak with me. She stated that Mr. Tejada was in a meeting and unavailable to meet with me. Ms. Fermin granted me consent to conduct a waste tire program inspection at this business and understood that I would be taking photos of the property which included the tire piles. CB Tyres Recycling Resources, LLC (TPID: 1000418) was given a compliance deadline of July 29, 2016 to reduce their waste and used tire count to 4,999 or less as stated on the Final Clean-Up Letter sent to the business on July 18, 2016. This inspection was to confirm compliance with the maximum storage of 4,999 waste tires on the property.

During the inspection on August 11, 2016, a total of 16,267 waste tires were calculated to be on the property (see Comments Form for full calculation of waste tires). Tire piles A, B, C, & D located on south end of the property had approximately 13,457 waste tires combined after a 20% reduction; there were 185 individually counted OTR tires; one full 53 foot trailer with approximately 1,500 waste tires; and three 53 foot trailers each a quarter full with approximately 1,125 waste tires. While on the property, I observed an employee unloading tires from the bed of a CB Tyres truck (see page 6 of Photo Log). Though CB Tyres reduced their waste tire count from 31,089 (from May 23, 2016 inspection) to 16,267, the business still failed to comply with 14 CCR section 18420.1 to reduce their waste tire count to 4,999 and to store all waste tires onsite in enclosed containers as stated on the Final Clean-Up Letter sent to CB Tyres on July 18, 2016.

Waste Tire Survey & Inspection Report Comments Form

State of California
CIWMB 133 (New 04/04)
California Integrated Waste Management Board

SURVEY REQUIRED

BLUE OR BLACK INK PEN

Business Profile

Inspection Details

Suffix: 1000418-01

Inspection Report Number:

IW-1042939

Inspection Number on the associated Survey form (Page 1)

Comments

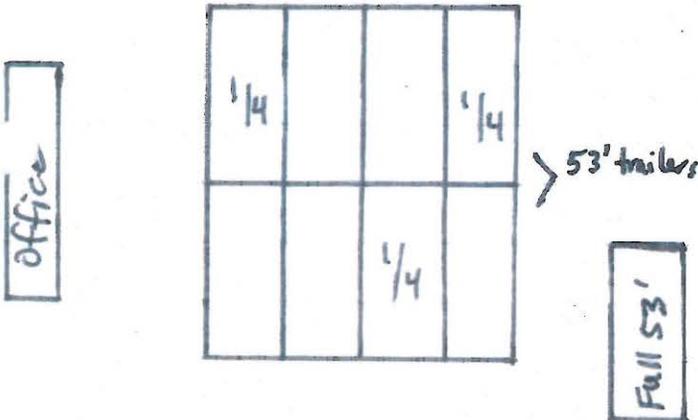
Pre-CAD Inspection date: 8/11/16. CalRecycle Inspector: Billy Yoc.

A: $74'L \times 15'W \times 11'H = 12,210 \text{ ft}^3 = 452 \text{ yd}^3 \times \frac{12 \text{ Loose Tires}}{1 \text{ yd}^3} = 5,424 \text{ tires} \times 0.80 = 4,339 \text{ tires}$

B: $34'L \times 42'W \times 11'H = 15,708 \text{ ft}^3 = 582 \text{ yd}^3 \times \frac{12 \text{ Loose Tires}}{1 \text{ yd}^3} = 6,984 \text{ tires} \times 0.80 = 5,587 \text{ tires}$

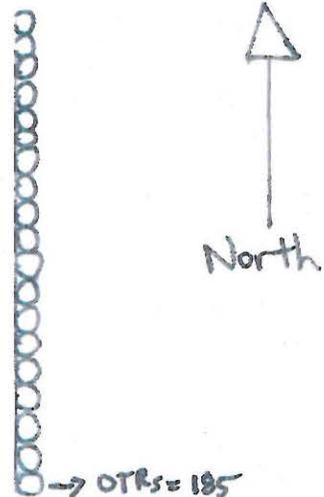
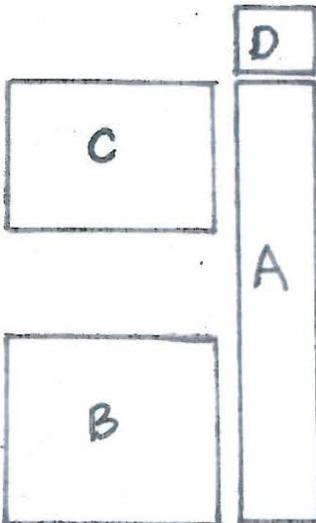
C: $20'L \times 42'W \times 11'H = 9,240 \text{ ft}^3 = 342 \text{ yd}^3 \times \frac{12 \text{ Loose Tires}}{1 \text{ yd}^3} = 4,104 \text{ tires} \times 0.80 = 3,283 \text{ tires}$

D: $11'L \times 15'W \times 5'H = 825 \text{ ft}^3 = 31 \text{ yd}^3 \times \frac{10 \text{ Loose tires}}{1 \text{ yd}^3} = 310 \text{ tires} \times 0.80 = 248 \text{ tires}$



1 Full 53' Trailer = 1,500 tires
1 - 1/4 53' Trailer = 375 tires x 3 trailers = 1,125 tires
OTRs = 185 tires

Total Waste Tires onsite = 16,267



EXAMPLE 123

42408



CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log



Photo 1 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows the north east side of tire pile D (front center) facing south west. This tire pile had approximately 248 PTE after a 20% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property. Tire pile A and B are in the background.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log

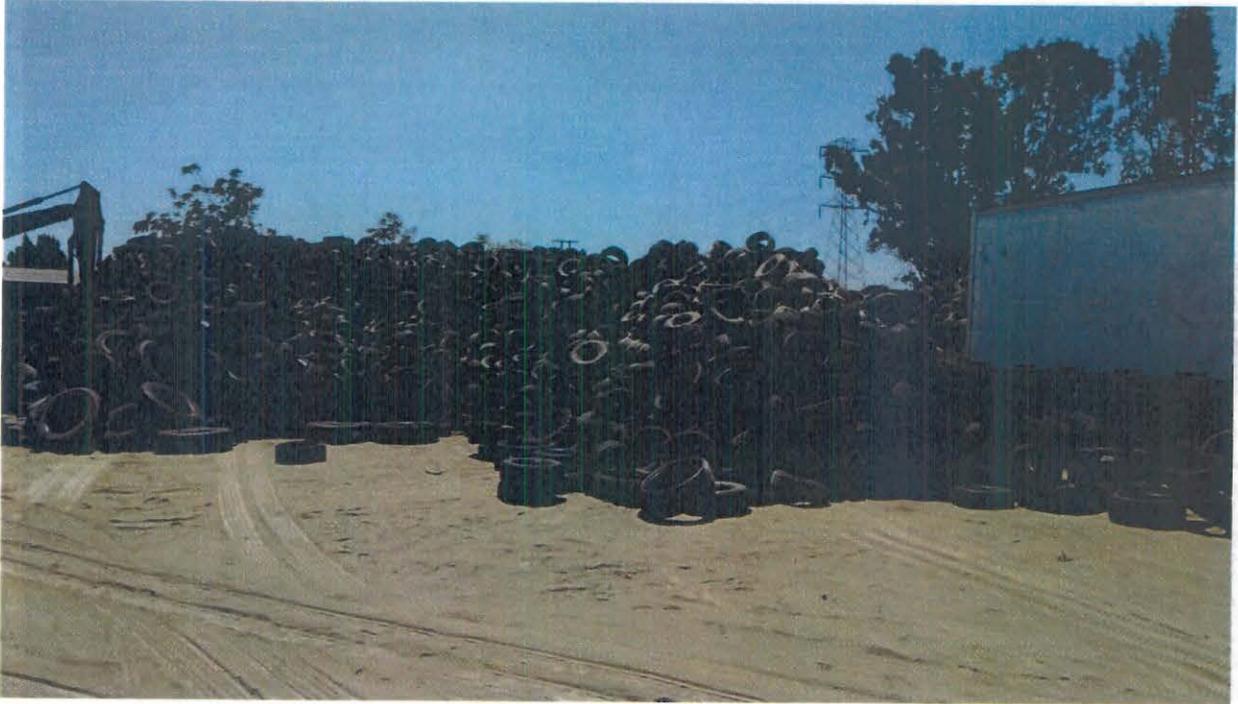


Photo 2 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows the east side of tire pile D (front center) facing west. This tire pile had approximately 248 PTE after a 20% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property. Tire pile A and B are in the background.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log

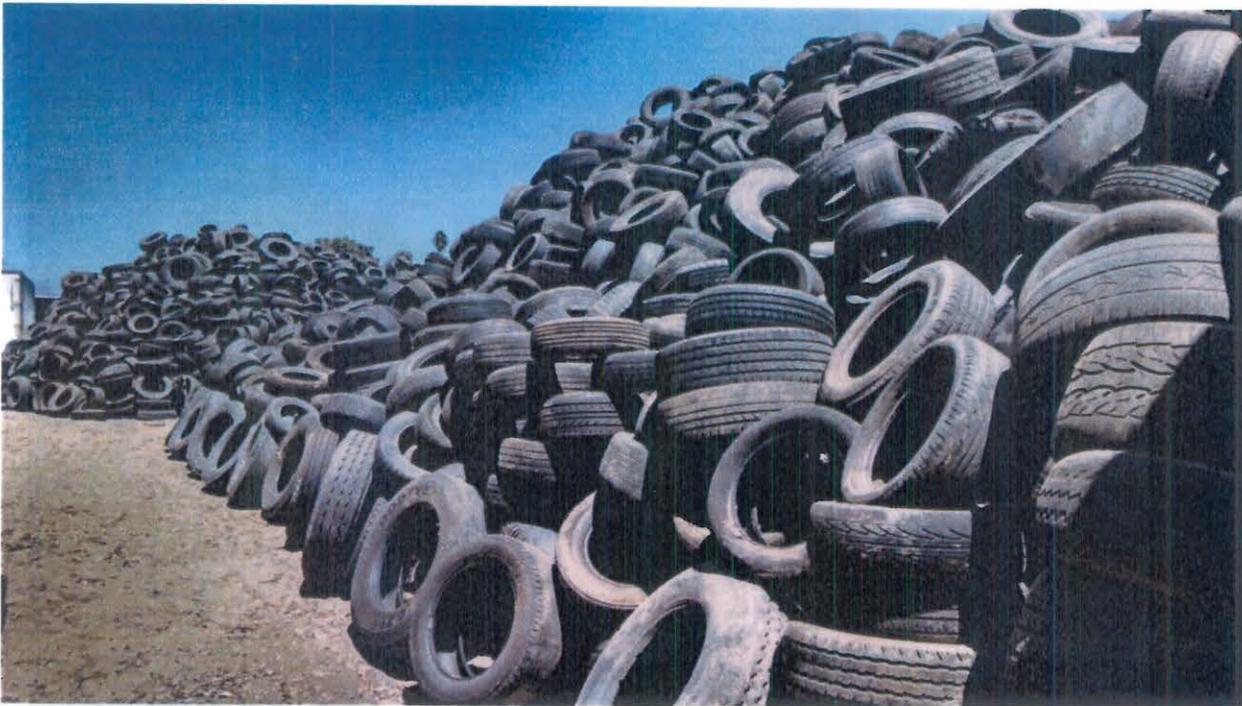


Photo 3 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows the south west side of tire pile B facing north east. This tire pile had approximately 5,587 PTE after a 20% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property. Tire pile C is in the background.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log



Photo 4 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows the west side of tire pile C (left), tire pile A (center), and tire pile B (right) facing east. Tire piles A, B, and C had a total of approximately 13,209 PTE after a 20% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log



Photo 5 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows the west side of tire pile C facing east. This tire pile had approximately 3,283 PTE after a 20% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property. Tire pile A is in the background.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log



Photo 6 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows the south east side of tire pile D facing north west. This tire pile had approximately 248 PTE after a 20% reduction in the number of waste tires calculated.

Note: This photo was taken at the south perimeter of the property. In the background of this photo shows a CB Tyres employee unloading tires from a CB Tyres truck.

Inspection Reference No.: IW-1042939

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log



Photo 7 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows the west side of OTR tires facing east. There were approximately 185 OTR tires individually counted.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log



Photo 8 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows the north west side of OTR tires facing south east. There were approximately 185 OTR tires individually counted.

Note: This photo was taken at the south perimeter of the property.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log



Photo 9 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows 53 feet trailer with license plate number: Oklahoma-613 6FJ. This 53 feet trailer was a quarter full with approximately 375 tires stored in the trailer.

Note: This photo was taken at the north perimeter of the property.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log



Photo 10 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows 53 feet trailer with license plate number: Oklahoma-613 6FJ. This 53 feet trailer was a quarter full with approximately 375 tires stored in the trailer.

Note: This photo was taken at the north perimeter of the property.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log



Photo 11 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows 53 feet trailer with license plate number: California-4GN2596. This 53 feet trailer was a quarter full with approximately 375 tires stored in the trailer.

Note: This photo was taken at the north perimeter of the property.

CB Tyres Recycling Resources, LLC
TPID No.: 1000418
August 11, 2016 Inspection
Photo Log

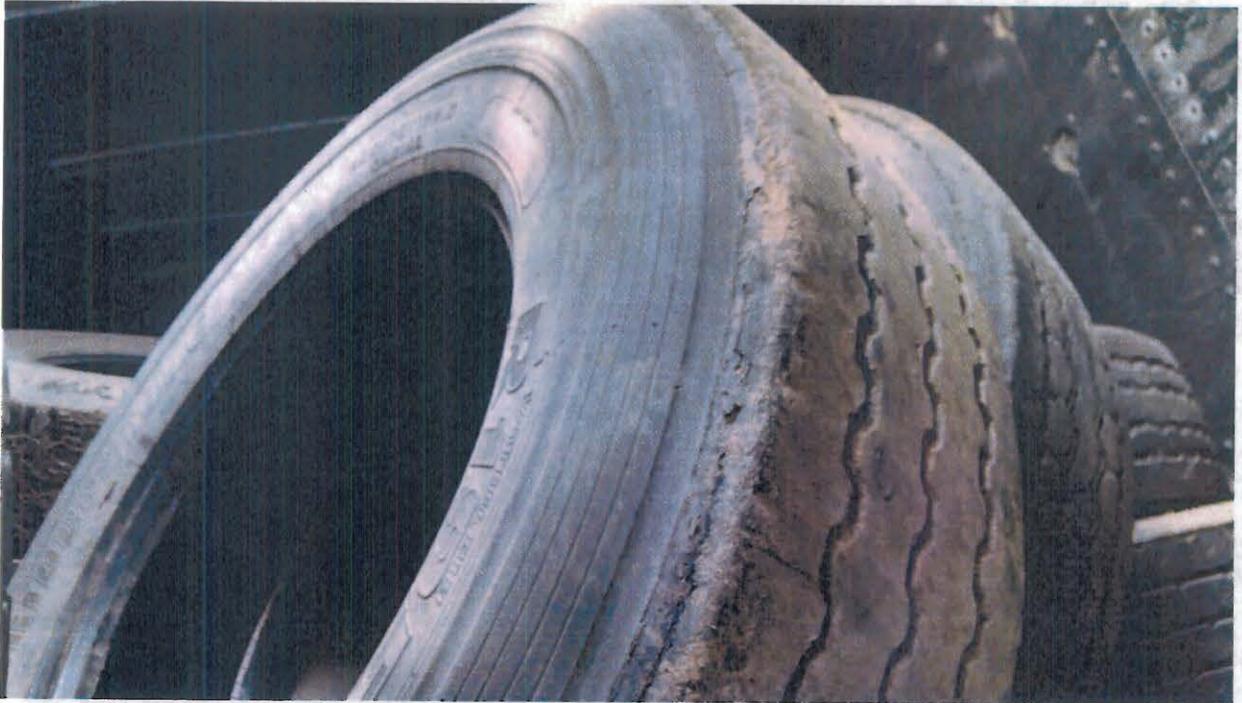


Photo 12 of 12

CB Tyres Recycling Resources, LLC

TPID No.:1000418

Photo taken by: Billy Yos of CalRecycle on August 11, 2016.

Description: Photo shows 53 feet trailer with license plate number: California-4GN2596. This 53 feet trailer was a quarter full with approximately 375 tires stored in the trailer.

Note: This photo was taken at the north perimeter of the property.

Attachment A

**DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY**

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027
P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

July 18, 2016

Certified Number: 7014 3490 0001 7726 6751

Anthony Tejada, Agent for Service of Process
CB Tyres Recycling Resources, LLC
21801 Barton Road, Suite D
Grand Terrace, CA 92313

Subject: VIOLATION OF CALIFORNIA WASTE TIRE LAWS— CB TYRES RECYCLING RESOURCES, LLC, TPID NO. 1000418

Dear Mr. Tejada,

The Department of Resources Recycling and Recovery (CalRecycle) has determined that you are the Operator of CB Tyres Recycling Resources, LLC and Property Owner of the parcel(s) located at 21801 Barton Road, Suite D, Grand Terrace, CA 92313, (Assessor Parcel Number 1167-121-03-P001) upon which CB Tyres Recycling Resources, LLC is located.

CB Tyres Recycling Resources, LLC is currently in violation of California waste tire laws and regulations. **By virtue of the amount of waste tires currently being stored and that waste tires are being stored outside of enclosed containers and on the ground when not being actively unloaded, sorted, and loaded, this site no longer meets the requirements of a collection location as defined by Title 14, California Code of Regulations (14 CCR) section 18420.1. This site currently meets the definition of a major waste tire facility as that term is defined by PRC section 42808. A major waste tire facility is "a waste tire facility where, at any time, 5,000 or more waste tires are or will be stored, stockpiled, accumulated, or discarded."**

This site has never been issued a major waste tire facility permit and is currently unpermitted and legally allowed to store up to 499 waste tires in accordance with California waste tire laws.

- On April 20, 2016, CalRecycle inspected this site, as documented in Inspection Report IW-1038033 (Attachment A), and determined that approximately 26,667 waste tires were being stored on site and that waste tires were being stored outside of enclosed containers and on the ground when not being actively unloaded, sorted, and loaded. CalRecycle issued a Notice of Violation to you as the operator to correct these violations of 14 CCR 18420.1 not later than May 13, 2016.
- On May 23, 2016, CalRecycle re-inspected this site, as documented in Inspection Report IW-1039563 (Attachment B), and determined that approximately 31,089 waste tires were being stored on site and that waste tires were still being stored outside of enclosed containers and on the ground when not being actively unloaded, sorted, and loaded in violation of 14 CCR 18420.1.

Under California law, CalRecycle is authorized to act as the enforcement agency for waste tire facilities, pursuant to Public Resources Code (PRC) section 42800 et seq., and is the enforcement agency for this waste tire site. CalRecycle is authorized to order waste tire facility operators and property owners who are



in violation of the aforementioned laws to clean up waste tire piles, abate the effects thereof, or otherwise remedy a case of threatened pollution or nuisance, pursuant to PRC section 42845(a).

If the current waste tire violations are not corrected by July 29, 2016, CalRecycle will prepare and serve a Cleanup and Abatement Order (CAO) to you as the Operator and Property Owner. In accordance with PRC section 42845, the CAO will require you to reduce your waste and used tire count down to zero and maintain it at zero for a specified period of time.

Once a CAO is issued, if you as the Property Owner and/or Operator fail to complete and comply with the actions ordered by the CAO by the specified dates, CalRecycle may petition the superior court for injunctive relief to enforce the CAO, and for civil penalties in the amount of not less than \$500 and up to \$10,000 for each violation of a separate provision or, for continuing violations, for each day the violation continues, pursuant to PRC sections 42845, 42850 and 42850.1. Civil penalties may be imposed in a civil action or may be imposed administratively, pursuant to PRC section 42850 et seq.

If you, as the Property Owner and/or Operator fail to remove the tires as required by the CAO by the required date, CalRecycle is authorized to expend available funds to perform any necessary cleanup, abatement or remedial work, as set forth in PRC section 42845 et seq. If CalRecycle expends funds to perform any cleanup, abatement or remedial work, CalRecycle may seek cost reimbursement from you and any other responsible party acting as the Property Owner and/or Operator, pursuant to PRC section 42847. Moreover, funds so expended by CalRecycle constitute a lien upon the real property owned by any responsible party that is subject to the remedial action, pursuant to PRC section 42847.5.

Please be aware that you, as the Operator of CB Tyres Recycling Resources, LLC and Property Owner of this location, have been advised of these violations and instructed to take immediate action to reduce the waste tires on site to 4,999 or below and to store all waste tires onsite in compliance with the provisions of 14 CCR 18420.1 (Attachment C). A re-inspection of the site is scheduled to take place on or around August 2, 2016.

CalRecycle staff is available to assist you with specific questions or concerns you may have regarding this situation. Please contact Keith Cambridge, Supervisor, Tire Hauler Compliance Unit, at (916) 341-6422 should you have any questions.

Sincerely,



Georgianne Turner
Chief, Waste Evaluation and Enforcement Branch
Waste Permitting, Compliance, and Mitigation Division

Attachments:

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**APPLICABLE CALIFORNIA STATUTE
AND REGULATIONS**

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CALIFORNIA PUBLIC RESOURCES CODE, DIVISION 30, PART 3, CHAPTER 16, ARTICLE 1. Definitions

Section 42804. Operator.

"Operator" means the person responsible for the overall operation of a waste tire facility.

Section 42805. Owner.

"Owner" means a person who owns, in whole or in part, a waste tire facility, the waste tires located at a facility, or the land on which a waste tire facility is located.

Section 42808. Waste Tire Facility.

"Waste tire facility" means a location, other than a solid waste facility permitted pursuant to this division that receives for transfer or disposal less than 150 tires per day averaged on an annual basis, where, at any time, waste tires are stored, stockpiled, accumulated, or discarded. "Waste tire facility" includes all of the following:

- (a) "Existing waste tire facility" means a waste tire facility which is receiving, storing, or accumulating waste tires, or upon which waste tires are discarded, on January 1, 1990.
- (b) "Major waste tire facility" means a waste tire facility where, at any time, 5,000 or more waste tires are or will be stored, stockpiled, accumulated, or discarded.
- (c) "Minor waste tire facility" means a waste tire facility where, at any time, 500 or more, but less than 5,000, waste tires are or will be stored, stockpiled, accumulated, or discarded. However, a "minor waste tire facility" does not include a tire dealer or an automobile dismantler, as defined in Sections 220 and 221 of the Vehicle Code, who stores waste tires on the dealer's or dismantler's premises for less than 90 days if not more than 1,500 total used or waste tires are ever accumulated on the dealer's or dismantler's premises.

CALIFORNIA PUBLIC RESOURCES CODE, DIVISION 30, PART 3, CHAPTER 16, ARTICLE 3. Major Waste Tire Facility Permits

Section 42824. Direction or transportation to, or acceptance of, waste tires at unpermitted major facility unlawful.

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.

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CALIFORNIA PUBLIC RESOURCES CODE, DIVISION 30, PART 3, CHAPTER 16, ARTICLE 4. Minor Waste Tire Facility Permits

Section 42834. Direction or transportation to, or acceptance of, waste tires at unpermitted minor 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 minor waste tire facility permit.

CALIFORNIA PUBLIC RESOURCES CODE, DIVISION 30, PART 3, CHAPTER 16, ARTICLE 5. Renewal, Suspension, or Revocation

Section 42843. Revocation, suspension, or denial of waste tire facility permits; grounds; duration; notice and hearing; decision.

- (a) The department may revoke, suspend, or deny a waste tire facility permit for a period of up to three years, by serving a statement of issues, by personal service or certified mail, in accordance with Section 42852, if the applicant for, or holder of, the permit, does any of the following:
- (1) The applicant misrepresents or fails to disclose material factual information in its application.
 - (2) The operator of the waste tire facility, at any time during the previous three years, fails to comply with an order regarding compliance subsequent to receiving a notice of violation, for any of the following:
 - (A) A violation of this chapter or the regulations adopted pursuant to this chapter.
 - (B) A violation of Chapter 19 (commencing with Section 42950) or the regulations adopted pursuant to that chapter.
 - (C) The terms or conditions of the operator's waste tire facility permit.
- (b) If the department determines that a violation specified in paragraph (2) of subdivision (a) demonstrates a chronic, recurring pattern of noncompliance that poses, or may pose, a significant risk to public health and safety or the environment, or if the violation has not been corrected or reasonable progress toward correction has not been achieved, the department may suspend, revoke, or deny a waste tire facility permit, in accordance with the procedure specified in subdivision (a), for a period of not more than five years.
- (c) If the department determines that a violation specified in paragraph (2) of subdivision (a) has resulted in significant harm to human health or the environment, the department may suspend, revoke, or deny a waste tire facility permit, in accordance with the procedure specified in subdivision (a), for a period of five years or longer.
- (d) The department shall notify the applicant for, or the holder of, the permit of the revocation, suspension, or denial of the permit and the effective date of the revocation, suspension, or denial. A revocation or suspension issued pursuant to this section shall remain in effect until the hearing is completed and the director issues a decision.
- (e) Upon receipt by the department of a notice of defense to the statement of issues from the applicant for, or the holder of, the permit, the department shall, within 15 days, schedule a hearing before the director. The hearing shall be held within 90 days of the scheduling date, unless a later date is agreed to by both the department and the applicant for, or the holder of, the permit.

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(f) After conducting the hearing, the director shall, within 60 days after the case is submitted, issue a decision, including an order setting forth the issuance, suspension, revocation, or denial of the permit. If the decision is not issued within this period, the revocation or suspension shall be of no further effect.

Section 42845. Cleanup or abatement of site in violation of chapter or permit; inspection; injunctions.

- (a) (1) A person who stores, stockpiles, or accumulates waste tires at a location for which a waste tire facility permit is required pursuant to this chapter, or in violation of the terms and conditions of the permit, the provisions of this chapter, or the regulations adopted under this chapter, shall, upon order of the department, clean up those waste tires or abate the effects of the waste tires, or, in the case of threatened pollution or nuisance, take other necessary remedial action.
- (2) If the order issued by the department pursuant to this subdivision is issued to a person operating a waste tire facility that has not been issued a waste tire facility permit, the department shall require the person operating the facility to remove all waste and used tires from the site and prohibit the person operating the facility from accepting any additional waste or used tires at the site for a specified time period.
- (b) The department shall include in an order issued pursuant to subdivision (a), a condition that the department shall perform inspections at the location of the violation that are in addition to those inspections otherwise required by this chapter or by any regulations adopted pursuant to this chapter, for a period of up to one year following the date of the issuance of the order, at a frequency determined by the department. The person who is the subject of the order shall reimburse the department for the cost of the additional inspections conducted pursuant to this subdivision, including the cost of preparing for the inspection, traveling to and from the inspection, and writing up the inspection reports, at the same amounts that are determined annually and approved for enforcement agents to be charged by the department for purposes of the enforcement of this chapter.
- (c) If a person operating a waste tire facility pursuant to a waste tire facility permit fails to comply with a cleanup or abatement order issued pursuant to subdivision (a), the Attorney General, at the request of the department, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with that order. In a suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant.
- (d) If a person operating an unpermitted waste tire facility fails to comply with a notice of violation issued for a violation of this chapter or any regulations adopted pursuant to this chapter, the Attorney General, at the request of the department, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with that order. In any suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant.
- (e) If the Attorney General declines, or is unable, to petition the appropriate superior court for issuance of an injunction within 30 days from the department's request, pursuant to subdivision (c) or (d), the district attorney or county counsel of that county may, at the department's request, petition the superior court for issuance of the injunction specified in subdivision (c) or (d).

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Section 42846.5. Access to property.

If the owner of property upon which waste tires are unlawfully stored, stockpiled, or accumulated refuses to allow the board or its contractors access to enter onto the property and perform all necessary cleanup, abatement, or remedial work as authorized under Section 42846, the board or its contractors shall be permitted reasonable access to the property to perform that activity if an order setting civil liability has been issued or obtained pursuant to Article 6 (commencing with Section 42850) by the board, or by its designee pursuant to subdivision (c) of Section 42850, against the property owner, and the board finds that there is a significant threat to public health or the environment.

Section 42847. Liability for costs.

If waste tires are cleaned up, the effects of the tires are abated, or, in the case of threatened pollution or nuisance, other necessary remedial action is taken by any governmental agency, the person or persons who unlawfully stored, stockpiled, or accumulated the waste tires or who unlawfully permitted the storage, stockpile, or accumulation of waste tires or who threatened to cause or permit the unlawful storage, stockpile, or accumulation of waste tires shall be liable to that governmental agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects thereof, or taking other remedial actions. The amount of those costs shall be recoverable in a civil action by, and paid to, the governmental agency and the board to the extent of the latter's contribution to the cleanup costs from available funds. The board shall seek recovery of its costs if that recovery is feasible.

Section 42847.5. Lien upon real property; costs or damages incurred by department; notice and hearing procedures; department not considered responsible party; duration of lien; effect of recording; deposit of funds.

- (a) Any costs or damages incurred by the department under this article constitute a lien upon the real property owned by any responsible party that is subject to the remedial action. The lien shall attach regardless of whether the responsible party is insolvent. A lien imposed under this section shall arise at the time costs are first incurred by the department with respect to a remedial action at the site.
- (b) A lien established under this section shall be subject to the notice and hearing procedures required by due process of the law. Prior to imposing the lien, the department shall send the property owner via certified mail a "Notice of Intent to Place a Lien" letter. This letter shall provide that the owner, within 14 calendar days from the date of receipt of the letter, may object to the imposition of the lien either in writing or through an informal proceeding before a neutral official. This neutral official shall be the director or his or her designee, who may not have had any prior involvement with the site. The issue before the neutral official shall be whether the department has a reasonable basis for its determination that the statutory elements for lien placement under this section are satisfied. During this proceeding the property owner may present information or submit documents, or both, to establish that the department should not place a lien as proposed. The neutral official shall ensure that a record of the proceeding is made, and shall issue a written decision. The decision shall state whether the property owner has

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established any issue of fact or law to alter the department's intention to file a lien, and the basis for the decision.

(c) The department may not be considered a responsible party for a remediated site merely because a lien is imposed under this section.

(d) A lien imposed under this section shall continue until the liability for the costs or damages incurred under this article, or a judgment against the responsible party, is satisfied. However, if it is determined by a court that the judgment against the responsible party will not be satisfied, the department may exercise its rights under the lien.

(e) A lien imposed under this section shall have the force and effect of, and the priority of, a judgment lien upon its recordation in the county in which the property subject to the lien is located. The lien shall contain a legal description of the real property that is subject to, or affected by, the remedial action, the assessor's parcel number, and the name of the owner of record, as shown on the latest equalized assessment roll.

(f) All funds recovered under this section on behalf of the department's waste tire stabilization and abatement program shall be deposited in the California Tire Recycling Management Fund established under Section 42885.

CALIFORNIA PUBLIC RESOURCES CODE, DIVISION 30, PART 3, CHAPTER 16, ARTICLE 6. Administrative Enforcement

Section 42850. Violations; civil penalty; board delegation of enforcement authority.

(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.

(b) Liability under this section may be imposed in a civil action or liability may be imposed administratively pursuant to this article.

(c) Upon request of a city, county, or city and county, that city, county, or city and county may be designated, in writing, by the board, to exercise the enforcement authority granted to the board under this chapter. Any city, county, or city and county so designated shall follow the same procedures set forth for the board under this article. This designation shall not limit the authority of the board to take action it deems necessary or proper to ensure to enforcement of this chapter.

Section 42850.1. Criminal and civil penalties.

(a) Any person who intentionally violates any provision of this chapter, or any permit, rule, regulation, standard, or requirement issued or adopted pursuant to this chapter, shall, upon conviction, be punished by a fine not to exceed ten thousand dollars (\$10,000) for each day of violation, by imprisonment in the county jail for not more than one year, or by both that fine and imprisonment.

(b) (1) Any person who intentionally violates any provision of this chapter, or any permit, rule, regulation, standard, or requirement issued or adopted pursuant to this chapter, is liable for a civil

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penalty not to exceed ten thousand dollars (\$10,000), for each violation of a separate provision or, for continuing violations, for each day that the violation continues.

(2) Liability under this subdivision may be imposed in a civil action or may be imposed administratively pursuant to this article.

CALIFORNIA PUBLIC RESOURCES CODE, DIVISION 30, PART 3, CHAPTER 19, ARTICLE 2. Registration and General Provisions

Section 42953. Arrangements to transport waste or used tires; hauler registration requirement.

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.

CALIFORNIA PUBLIC RESOURCES CODE, DIVISION 30, PART 3, CHAPTER 19, ARTICLE 3. Renewal, Suspension, and Revocation

Section 42961.5. California Uniform Waste and Used Tire Manifest system.

(a) For purposes of this chapter, the following definitions shall apply:

(1) "California Uniform Waste and Used Tire Manifest" means a shipping document signed by a generator of waste or used tires, a waste and used tire hauler, or the operator of a waste or used tire facility or other destination that contains all of the information required by the board, including, but not limited to, an accurate measurement of the number of tires being shipped, the type or types of the tires, the date the shipment originated, and the origin and intended final destination of the shipment.

(2) "Waste and used tire hauler" means any person required to be registered with the board pursuant to subdivision (a) of Section 42951.

(b) Any person generating waste or used tires that are transported or submitted for transportation, for offsite handling, altering, storage, disposal, or for any combination thereof, shall complete a California Uniform Waste and Used Tire Manifest, as required by the board. The generator shall provide the manifest to the waste and used tire hauler at the time of transfer of the tires. Each generator shall submit to the board, on a quarterly schedule, a legible copy of each manifest. The copy submitted to the board shall contain the signatures of the generator and the waste and used tire hauler.

(c) (1) Any waste and used tire hauler shall have the California Uniform Waste and Used Tire Manifest in his or her possession while transporting waste or used tires. The manifest 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 Penal Code, or any local public officer designated by the board.

(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 the board. The waste and used tire hauler shall provide the

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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 the board, on a quarterly schedule, a legible copy of each manifest. The copy submitted to the board shall contain the signatures of the generator and the facility operator.

(d) Each waste or used tire facility operator that receives waste or used tires for handling, altering, storage, disposal, or any combination thereof, that was transported with a manifest pursuant to this section, shall submit copies of each manifest provided by the waste and used tire hauler to the board and the generator on a quarterly schedule. The copy submitted to the board shall contain the signatures of each generator, each transporter, and the facility operator. If approved by the board, in lieu of submitting a copy of each manifest used, a facility operator may submit an electronic report to the board meeting the requirements of Section 42814.

(e) The board shall develop and implement a system for auditing manifests submitted to the board pursuant to this section, for the purpose of enforcing this section. The board or its agent shall continuously conduct random sampling and matching of manifests submitted by any person generating waste or used tires, hauling waste or used tires, or operating waste or used tire facilities, to assure compliance with this section.

(f) (1) If approved by the board, any waste and used tire generator, waste and used tire hauler, or operator of a waste tire facility that is subject to the manifest requirements of this section, may submit an electronic report to the board, in lieu of submitting the copy of the manifest required. The electronic report shall include all information required to be on the California Uniform Waste and Used Tire Manifest, and any other information required by the board.

(2) A waste and used tire generator, waste and used tire hauler, or operator of a waste tire facility that is subject to paragraph (1) may submit the electronic reports to the board on a quarterly schedule.

CALIFORNIA PUBLIC RESOURCES CODE, DIVISION 30, PART 3, CHAPTER 19, ARTICLE 4. Enforcement

Section 42962. Violations; civil penalties.

(a) Any person who does any of the following shall be liable for a civil penalty not to exceed twenty-five thousand dollars (\$25,000) for each violation of a separate provision or for continuing violations for each day that violation continues:

(1) Intentionally or negligently violates any permit, rule, regulation, standard, or requirement issued or adopted pursuant to this chapter.

(2) Knowingly, or with reckless disregard, makes any false statement or representation in any application, manifest, record, report, permit, or other document filed, maintained, or used for purposes of compliance with this chapter.

(b) Liability under subdivision (a) may be imposed in a civil action.

(c) In addition to the civil penalty that 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

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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 or adopted pursuant to this chapter. The board shall adopt regulations that specify the procedures and amounts for the imposition of administrative civil penalties pursuant to this subdivision.

CALIFORNIA CODE OF REGULATIONS, TITLE 14, DIVISION 7, CHAPTER 3, ARTICLE 4.1. Waste Tire Program Definitions

Section 17225.755. Operator.

“Operator” means the person legally responsible for the operation of a waste tire facility or the owner if there is no operator.

Section 17225.770. Passenger Tire Equivalents (PTE).

“Passenger Tire Equivalents” means the total weight of altered waste tires, in pounds, divided by 20 pounds. This definition replaces the previous definition of “Tire Equivalents.”

CALIFORNIA CODE OF REGULATIONS, TITLE 14, DIVISION 7, CHAPTER 3, ARTICLE 5.5. Waste Tire Storage and Disposal Standards

Section 17351. Fire Prevention Measures.

Pursuant to the California Fire Code, Title 24 of the California Code of Regulations, sections 3201.1 through 3210.1, 3404.1 through 3408.2, which are hereby incorporated by reference, any person storing 500 or more waste tires shall meet the following requirements:

- (a) The operator of the waste tire facility or solid waste facility shall demonstrate that they have prepared and submitted a fire safety plan to the fire code official having jurisdiction over a particular facility for review and approval. The fire safety plan shall include provisions for fire department vehicle access. At least one copy of the most recent, up-to-date fire safety plan and, if applicable, any approvals shall be made available at the time of inspection and at the time of application for a new permit, permit review or permit revision.
- (b) Communication equipment shall be maintained at all waste tire facilities and solid waste facilities, if they are staffed by an attendant, to ensure that the site operator can contact local fire authority in the event of fire. The telephone number of the local fire authority and location of the nearest telephone shall be posted conspicuously in attended locations.
- (c) Adequate equipment to aid in the control of fires shall be provided and maintained at the waste tire facility or solid waste facility at all times. At a minimum the following items shall be maintained on site and in working order at all times:
 - (1) Buildings or structures shall be equipped with portable fire extinguishers in accordance with Section 906 of the California Fire Code;
 - (2) One (1) pike pole or comparable pole at least 10 feet in length to separate burning from nonburning tires;

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- (3) One (1) round point and one (1) square point shovel;
- (4) One (1) portable fire extinguisher with a minimum rating of A:40-B:C shall be carried on each piece of fuel-powered equipment used to handle waste tires;
- (d) An adequate water supply shall be available for use by the local fire authority. The water supply shall be capable of delivering at least 1,000 gallons per minute for a duration of at least three hours and at least 2,000 gallons per minute for a duration of at least three hours if the sum of altered plus whole waste tires exceeds 10,000. The water supply shall be arranged such that any part of the storage yard can be reached by using not more than 500 feet of hose.
- (e) The following precautions against fire shall be maintained at the waste tire facility or solid waste facility at all times:
 - (1) No open burning.
 - (2) Open flame, cutting, welding, or heating devices, blow torches, or highly flammable materials, including, but not limited to, inner tubes, are prohibited within 40 feet of waste tires.
 - (3) No smoking, except in designated areas.
 - (4) Tire storage piles shall not be located beneath electrical power lines having a voltage in excess of 750 volts or that supply power to fire emergency systems.
- (f) All of the requirements of subsections (a) through (e) above shall apply unless 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 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 Department by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to Department concurrence at the time of issuance or review of the permit.

Section 17352. Facility Access and Security.

- (a) Signs - For waste tire facilities and solid waste 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 waste tire facility or solid waste 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 waste tire facility or solid waste facility shall be maintained passable for emergency equipment, fire apparatus, and vector control vehicles at all times. Unauthorized access shall be strictly controlled.

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

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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 Department concurrence at the time of issuance or review of the waste tire facility permit.

Section 17354. Storage of Waste Tires Outdoors.

(a) Waste tires stored outdoors shall be stored as prescribed in the subsections below, and pursuant to the California Fire Code, Title 24 of the California Code of Regulations, sections 3405.1 through 3405.9, which are hereby incorporated by reference.

(b) All of the requirements in subsections (c) through (j) below 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 Department by the operator within 30 days after their effective date. Any requirements approved by the local fire authority shall be subject to Department concurrence at the time of issuance or review of the permit.

(c) Storage of waste tires shall be restricted to individual piles, which include stacks and racks of waste tires, that do not exceed 5,000 square feet of contiguous area. Pile width shall not exceed 50 feet. Any pile shall not exceed 50,000 cubic feet in volume or 10 feet in height.

(d) Tire storage piles containing less than 500 waste tires shall be located no closer than 10 feet from lot lines or buildings; however, tire piles containing less than 500 waste tires may be stored within 10 feet of lot lines or buildings after the operator has obtained approval from the fire code official. Waste tire piles containing less than 500 waste tires shall not exceed 6 feet in height when within 20 feet of any property line, building, or perimeter fencing. Side slopes shall not exceed 60 degrees.

(e) Tire storage piles containing 500 or more waste tires shall be located at least 50 feet from lot lines and buildings, unless the facility is a waste tire facility described in subsections (1) through (4) below.

(1) Where the waste tire facility has obtained approval from the fire code official and the waste tires are stored at an exempt or excluded site defined in 14 CCR section 17225.822, tire storage piles may be located within 50 feet but no closer than 10 feet from lot lines or from buildings.

(2) Where the waste tire facility has obtained approval from the fire code official and the waste tires are stored at a permitted minor waste tire facility, tire storage piles may be located closer than 50 feet but no closer than 10 feet from lot lines and 50 feet from buildings.

(3) Where waste tires are stored at a minor waste tire facility that was issued a minor waste tire facility permit prior to January 1, 2011, tire storage piles may be located closer than 50 feet but no closer than 10 feet from lot lines and 50 feet from buildings.

(4) In no case shall the waste tire storage piles exceed 6 feet in height when within 20 feet of any lot line or perimeter fencing, and side slopes shall not exceed 60 degrees.

(f) Any individual waste tire pile shall be separated from any other waste tire pile, combustible ground vegetation, stored used tires, waste tire material, or products made from tires, by a distance of at least 40 feet.

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(g) Waste tire piles shall not be located under bridges, elevated trestles, elevated roadways, or stored in an area where they may be subjected to immersion in water during a 100-year storm unless the owner or operator demonstrates that the waste tire facility or solid waste facility will be designed and operated so as to prevent waste tires from migrating off-site.

(h) At a waste tire facility or solid waste facility storing more than 150,000 cubic feet of waste tires, adjacent individual waste tire piles shall be considered a group, and the aggregate volume of storage piles in a group shall not exceed 150,000 cubic feet. Each group shall be separated from any other group by a distance of at least 75 feet.

(i) Tires must be removed from rims immediately upon arrival at the waste tire facility or solid waste facility. Tires temporarily attached to rims awaiting removal shall be stored separate from other waste tires.

(j) The waste tire facility or solid waste facility shall be designed and constructed to provide protection to bodies of water from runoff of pyrolytic oil resulting from a potential tire fire.

CALIFORNIA CODE OF REGULATIONS, TITLE 14, DIVISION 7, CHAPTER 6, ARTICLE 1. General

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 Public Resources Code section 42808, unless any of the following conditions exist:

(1) The waste tires are stored within the boundaries of, or disposed at, a permitted solid waste disposal facility or stored within the boundaries of a permitted transfer station which receives less than 150 waste tires per day averaged over a 365-day period. If waste tires are stored within the boundaries of a solid waste facility, the permit of the solid waste facility shall conform to the requirements of Public Resources Code section 44004 and Division 7, Chapter 3, Article 5.5 of Title 14 of the California Code of Regulations, to reflect the storage of waste tires.

(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.

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- (b) For the purposes of determining the applicability of this Chapter 6, altered waste tires shall be counted as passenger tire equivalents as that term is defined in section 17225.770 of Title 14 of the California Code of Regulations. .
- (c) Operations authorized to use the enforcement agency notification tier as prescribed by sections 18103 and 18103.1 of Title 14 of the California Code of Regulations, that stores, stockpiles, accumulates or discards 500 or more waste tires shall comply with the waste tire facility permitting requirements set forth in Division 30, Part 3, Chapter 16 of the Public Resources Code, and Division 7, Chapters 3 and 6 of Title 14 of the California Code of Regulations.
- (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 waste or used 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 1,500 waste tires in accordance with Public Resources Code section 42808(c).

CALIFORNIA CODE OF REGULATIONS, TITLE 14, DIVISION 7, CHAPTER 6, ARTICLE 2. Review of Permit Applications

Section 18423. Permit Application Filing.

- (a) Every operator of a new major or minor waste tire facility shall submit to the Department a complete and correct waste tire facility permit application, as specified in Article 4 of this Chapter.
- (b) Upon receipt of the application, the Department shall mark the application package with the date of receipt. Within 30 days of receipt, the Department shall examine the application package to determine whether it meets the requirements contained in this chapter and either accept the application as complete and correct or reject the application. If the Department finds the application meets the requirements, the application shall be accepted as complete and correct. If the Department determines that the application does not conform to the applicable requirements, it shall notify the applicant in writing enumerating the grounds for rejection.
- (c) The operator of a waste tire facility may, at any time, withdraw a certification or permit revision application by submitting a written request to the Department. An applicant may not withdraw an application for revision if the Department requests the permit be revised pursuant to section 18427(b) or (f) of this Chapter.
- (d) For purposes of this Chapter, "Complete and Correct" means all information provided by the applicant regarding the waste tire facility is accurate, exact, and fully describes all parameters of the waste tire facility.

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CALIFORNIA CODE OF REGULATIONS, TITLE 14, DIVISION 7, CHAPTER 6, ARTICLE 4. Permit Application

Section 18432. Operation Plan.

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

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

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 Department 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 Department 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 Department 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.

CALIFORNIA CODE OF REGULATIONS, TITLE 14, DIVISION 7, CHAPTER 6, ARTICLE 7. Records

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.

CALIFORNIA CODE OF REGULATIONS, TITLE 14, DIVISION 7, CHAPTER 6, ARTICLE 8.5. Waste Tire Hauler Registration and Manifesting Requirements for used and waste tire Haulers, Retreaders, used and waste tire Generators, and used and waste tire End-Use Facilities

Section 18459.2.1. Submittal of the Manifest Form to the Department.

As provided in this section, the Manifest Form as defined in Section 18450 of this Article shall be submitted to the Department by the waste tire hauler.

(a) The waste tire hauler shall submit the completed original CTL Form to the Department within ninety (90) days of the load shipment. The Manifest Form shall be in the waste tire hauler's possession while transporting used or waste tires and shall be shown upon demand to any representative of the

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Department, any officer of the California Highway Patrol, any peace officer, as defined in Sections 830.1 or 830.2 of the California Penal Code, or any local public officer designated by the Department.

(b) If approved by the Department pursuant to Public Resources Code Section 42961.5, any person that is subject to the requirements set forth in above (a) may substitute their own functionally equivalent EDT form, once approved by the Department, in lieu of the Department required form and submit an electronic report within ninety (90) days of the load shipment to the Department, in lieu of submitting the required paper form pursuant to Section 18459.1.2. The electronic report shall include all information required to be on the CTL Form.

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