

Waste Tire Hauler Program

NEWS-LINE



Spring 2008

The *Waste Tire Hauler Program NEWS-LINE* is a free informational newsletter published by the California Integrated Waste Management Board (CIWMB). This newsletter provides information on the CIWMB's waste tire regulatory programs, including upcoming events.



Christina Buchanan, Solid Waste Inspector for the City of San Diego Solid Waste Enforcement Agency

Christina Buchanan, Local Enforcement Inspector

San Diego is the seventh largest city in the US with 350 active waste tire businesses growing in numbers by the week. Christina Buchanan, Solid Waste Inspector for the City of San Diego Solid Waste Local Enforcement Agency, started inspecting waste tire facilities in 2004. While doing routine inspections, Buchanan found many violations. But more recently she noted that through her educational approach many of the generators have come into compliance with the legal requirements. "I feel like I've done a good job when I do an inspection of a business that had frequent violations and they demonstrate an understanding and proper use of the Waste Tire Manifest System," said Buchanan.

Buchanan (continued on page 2)

Filing a Complaint Favors All Registered Haulers & Generators

Most waste tire haulers comply with the law that requires them to register with the California Integrated Waste Management Board (CIWMB) and to report waste/used tire loads transported on California's public roads. However, some haulers disregard the law and continue to haul with no registration. Without documenting loads on a comprehensive trip log haulers can evade the system and reap higher profits by undercutting competition and possibly dumping illegally or stockpiling waste tires. By pursuing repeat offenders, the CIWMB has put the waste tire industry in California on notice that it is standing behind a law that aims to stop illegal dumping of waste tires. Public complaints alert the CIWMB of any potential wrongdoing.

The offender usually receives a warning letter for a first offense. The next offense is followed up with a certified letter sent to the hauler. The third offense results in an investigation by the Local Enforcement Agency (LEA) or a state representative.

If the offender is not identified when illegal dumping is reported, the CIWMB works with the LEA to set up nearby surveillance equipment. The California Highway Patrol (CHP) under contract with the CIWMB, may also investigate repeated violations. If the illegal activity continues, either the CIWMB's

Filing a Complaint (continued on page 2)

Buchanan (cont'd from page 1)

Auto dismantlers located within a few miles of the Mexican border present the biggest challenge for inspectors. Buchanan, who speaks fluent Spanish, explains that each of the 100 dismantlers in the area generates a handful of tires per week. Often they get around the law which allows unregistered haulers to remove up to nine tires at a time to avoid registering with the CIWMB as a waste tire hauler. In many cases, they dump the tires, export the tires to Mexico illegally or put the tires on the rims of scrapped cars destined elsewhere. Although Buchanan tries to teach business owners to comply with the law, she realizes that many are still moving tires illegally. Buchanan says, "to achieve better compliance with the law we are stepping up our surveillance and enforcement actions in that area of San Diego."

Knowing that her role as an inspector has a social impact is what motivates Buchanan in her job. Illegal tire dumping is not an issue in San Diego as there aren't many tire piles in the area. Instead, Buchanan believes that many of the waste tires go to Mexico ending up in large tire piles that create a threat to public health. "We are working on ways to address this problem and are collaborating with San Diego State University, State Agencies, and the CIWMB," says Buchanan. The LEA has received CIWMB funds to work with stakeholders on both sides of the border in an attempt to address this overwhelming issue.

The LEA has been involved in creating grass root support for a tire recycling facility within the County. As a part of the LEA's community outreach program, Buchanan displays products made from recycled tires at car shows and other local exhibits to pique the public's interest. "Many people support a recycling plant in San Diego County and are surprised to find that tires still go to the landfill instead of creating new products." Buchanan would like to see a way to close the loop by having a place where recycling can take place so that fewer tires would end up in Mexico.

Filing a Complaint (cont'd from page 1)

legal counsel may file an Administrative Complaint or the local District Attorney's office may file a Criminal Complaint.

The CIWMB's Waste Tire Manifest Program receives about 1800 complaints per year from waste tire haulers, generators, end-use facilities, governmental agencies and the general public. Most of those complaints report unregistered haulers or a hauler who does not use the Comprehensive Trip Log to document a load of waste/used tires that were delivered or picked up. Other reports are for illegal dumping, waste tire storage sites that are not permitted, or lack of adherence to the permitting requirements imposed on storage facilities.

The CIWMB filed 15 Administrative Complaints against unregistered haulers in 2006. Most judgments required that violators pay a penalty of at least \$2,000 for repeat offenses. A few haulers were denied the right to register, forfeiting their ability to transport waste tires on California's public roads.

The CIWMB immediate response to repeat offenders through the complaint process gives haulers and generators an opportunity to report those who continue to violate the law. It not only prevents potential dumping on private property or illegal dumpsites but also forces haulers to register and report loads. This means they will be more likely to charge waste tire generators a fair and competitive price to haul and properly dispose of their tires.

For more information on the complaint process or how to file a complaint you can obtain a complaint form at www.ciwmb.ca.gov/Tires/Haulers/# Complaints or call the Toll free number at 866-896-0600.

Generators Must Use Registered Haulers

A one-day forum, co-sponsored by the Rubber Manufacturers Association, the United States Environmental Protection Agency, the California Integrated Waste Management Board and Lakin Tire West, was held in San Diego on September 6, 2007. The Scrap Tire Issues forum in the California-Baja California Border Region, brought together representatives from the US and Mexico to discuss issues concerning the illegal tire piles near the border.

Millions of waste tire piles exist along the California-Mexico border. Many of these tires originate in California and are transported by U.S. or Mexican tire haulers across the border where the illegal dumping takes place. Not only do tire piles pose significant environmental health risks (mosquitoes and rodents) but they also pose a potential fire hazard that may cause significant economic impacts.

Cleaning up tire piles is a priority for the CIWMB. Both US and Mexican registered and unregistered haulers are partly responsible but, used/waste tire generators are equally responsible as the law states that they need to make sure that waste or used tires are released to a CIWMB registered waste tire hauler. According to the Public Resources Code §42953(b), any person who gives, contacts, 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 specified in Section 42954.

To verify that a tire hauler is a registered CIWMB tire hauler, look for the following:

- 1.) A current year CIWMB decal (2008) attached to the passenger side of the windshield of the tire hauling vehicle.
- 2.) A hauler registration certificate for that vehicle should be in the vehicle while hauling waste or used tires. The information on this certificate will match the

vehicle description and license plate information, and as a generator, you can request to see this certificate.

- 3.) A CIWMB Comprehensive Trip Log receipt (CIWMB 203) or a company invoice form with the CIWMB Electronic Data Transfer (EDT) logo at the bottom left corner of the form. Either form must be left with the generator. The generator shall keep these forms at the generator's place of business for 3 years.

To check that the tire hauler is registered with the CIWMB, call our toll-free number at (866) 896-0600. If the generator gives waste or used tires to an unregistered tire hauler, the CIWMB may take punitive action with civil fines of up to \$25,000 per violation per day.

Haulers Must Register with the CIWMB

Transporting waste or used tires without a valid registration is a violation of Public Resource Code (PRC) § 42951 and is punishable by civil fines of up to \$25,000 per violation per day.

The California Integrated Waste Management Board (CIWMB) has established a “**Zero Tolerance**” policy for hauling waste or used tires without a current registration after January 1, 2008.

Prior to hauling waste tires, each tire hauler is expected to renew his/her registration and obtain a current registration certificate and decal(s) for that year. Renewal applications were due by December 31, 2007 for 2008. CIWMB is currently proceeding with enforcement actions against haulers who did not renew by the deadline and continued to haul waste tires after January 1, 2008.

Please call the CIWMB's toll free number at 866-896-0600 if you have any questions or need further assistance with your new registration and/or renewal.

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