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8
9 STATE OF CALIFORNIA

10 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

11 In the matter of:

12 VIRGINIA TOAPANTA
13 d/b/a A – 1 TIRE, OPERATOR,

14
15 TPID NO: 1276593-01

16 RESPONDENT.
17

} ADMINISTRATIVE DECISION
FOR WASTE TIRE HAULER
ADMINISTRATIVE PENALTIES,

} AGENCY No: 2005-010927-ADC

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19 The California Integrated Waste Management Board ("CIWMB") served an Administrative
20 Complaint and Request for Hearing form on Virginia Toapanta d/b/a A -1 Tire,
21 ("RESPONDENT"), on February 7, 2006. RESPONDENT negotiated a settlement agreement
22 with the CIWMB. Pursuant to the "Stipulation for Issuance of Administrative Decision" dated
23 March 15, 2006, entered into by and between the CIWMB and RESPONDENT and good
24 cause appearing therefore, the following Stipulated Factual Findings and Conclusions of Law
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1 are made, and the following Stipulated Order is issued:

2 **STIPULATED FACTUAL FINDINGS**

3 1. The Administrative Complaint was executed by WENDY BRECKON, Staff
4 Counsel, CIWMB, acting in her official capacity.

5 2. VIRGINIA TOAPANTA d/b/a A -1 TIRE, is responsible for the transportation of
6 waste tires by a person not holding a valid waste tire hauler registration from the CIWMB.

7 3. The CIWMB has authority to regulate and conduct enforcement actions regarding
8 Waste Tire Haulers within the State of California under PRC section 42950 et seq. and
9 attendant regulations contained in Title 14 of the California Code of Regulations (CCR).

10 4. On April 26, 1998, RESPONDENT first became registered as a Waste Tire
11 Hauler with the CIWMB. The hauler registration number issued to her was 0338 and effective
12 July 1, 2003 became TPID 1276593-01. RESPONDENT has renewed annually since the
13 initial registration date.

14 5. On July 28, 2003, a Letter of Violation was issued by the County of Los Angeles
15 Department of Health Services to RESPONDENT for hauling 45 waste tires in a truck with an
16 expired CIWMB registration decal.

17 6. The Waste Tire Management System (WTMS) indicates that RESPONDENT has
18 continued to haul waste or used tires since being cancelled in Janaury 2005 and prior to
19 obtaining registration with CIWMB. Nine (9) manifests were submitted to the CIWMB showing
20 this waste tire hauler continued to conduct his business transactions in complete disregard of
21 the applicable waste tire hauler registration requirements. The following are manifests and
22 dates showing these transactions after being cancelled:

| Manifest Number | Date of Transaction | PTE's |
|------------------------|----------------------------|--------------|
| M3 – 1501824 | 1/ 14/ 2005 | 221 |
| M1 – 1917613 | 2/ 18/ 2005 | 269 |
| M8 – 2148018 | 3/ 29/ 2005 | 311 |
| M8 – 1501812 | 4/ 12/ 2005 | 309 |

1 This DECISION shall become effective May 24, 2006

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3 Dated this 24th day of May, 2006.

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6 MARGO REID BROWN
7 Chair
8 CALIFORNIA INTEGRATED WASTE
9 MANAGEMENT BOARD

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