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9 STATE OF CALIFORNIA  
10 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

11 In the matter of:

12 CITY TIRE SALES, INC.  
13 a/k/a CITY TIRE INC.  
14 TPID NO: 1108228  
15  
16 RESPONDENT.

ADMINISTRATIVE DECISION  
PURSUANT TO STIPULATION FOR  
WASTE TIRE HAULER  
ADMINISTRATIVE PENALTIES

17 AGENCY No: 2006-010959-ADC

18 The California Integrated Waste Management Board ("CIWMB") served an  
19 Administrative Complaint and Request for Hearing form on CITY TIRE SALES, INC.  
20 ("RESPONDENT"), on December 13, 2006. RESPONDENT negotiated a Stipulation for  
21 Issuance of Administrative Decision ("Stipulation") with the CIWMB to resolve the issues  
22 in the Administrative Complaint. The CIWMB and RESPONDENT stipulated to a  
23 penalty based on the following stipulated facts and violations of law:

24 **STIPULATED FACTS**

- 25 1. The Administrative Complaint was executed by WENDY BRECKON,  
26 Senior Staff Counsel, CIWMB, acting in her official capacity.  
27 2. The CIWMB has authority to regulate and conduct enforcement actions  
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1 regarding Waste Tire Haulers within the State of California under PRC section 42950 et  
2 seq. and attendant regulations contained in Title 14 of the California Code of  
3 Regulations (CCR).

4 3. RESPONDENT is responsible for the transportation of waste or used tires  
5 by a person not holding a valid waste tire hauler registration from the CIWMB.

6 4. RESPONDENT violated waste tire hauler laws in 1998 and 1999, by  
7 hauling waste tires without a CIWMB registration. An Administrative Complaint was  
8 issued requesting \$1,000 in penalties on June 14, 1999. In lieu of litigating this case at  
9 hearing, the parties reached a settlement of this case for a penalty of \$400.00 in August  
10 1999.

11 5. RESPONDENT again hauled used or waste tires as an unregistered  
12 waste tire hauler in complete disregard of the applicable waste tire hauler registration  
13 requirements on or about September 20, 2006, when Mr. Steve Pierce, an employee of  
14 City Tire, Inc., hauled approximately 308 waste and used tires, to the location of City  
15 Tire, Inc. at 1220 McHenry Avenue, Modesto, CA 95350.

16 **STIPULATED VIOLATIONS OF LAW**

17 6. CITY TIRE SALES, INC. was in violation of PRC section 42951, which  
18 makes it unlawful to engage in the transportation of waste tires unless holding a valid  
19 Used and Waste Tire Hauler Registration, unless exempted as specified in PRC section  
20 42954.

21 **STIPULATED ORDER**

22 The CIWMB approves of the terms of the Stipulation and the following order is  
23 hereby made:

24 CITY TIRE SALES, INC. is ordered to pay an administrative penalty of \$1,500.00  
25 (one thousand five hundred dollars) to the CIWMB.

26 ///  
27 ///  
28 ///

1 This DECISION shall become effective May 22, 2007.

2  
3 Dated this 22<sup>nd</sup> day of May, 2007.  
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7 MARGO REID BROWN  
8 Chair  
9 CALIFORNIA INTEGRATED WASTE  
10 MANAGEMENT BOARD  
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